

Exhibit 3 to the Complaint.

U.S. Patent No. 8,671,195 v. Roche Accu-Chek Guide Meter

Exhibit 3 to the Complaint.

1. Claim Chart

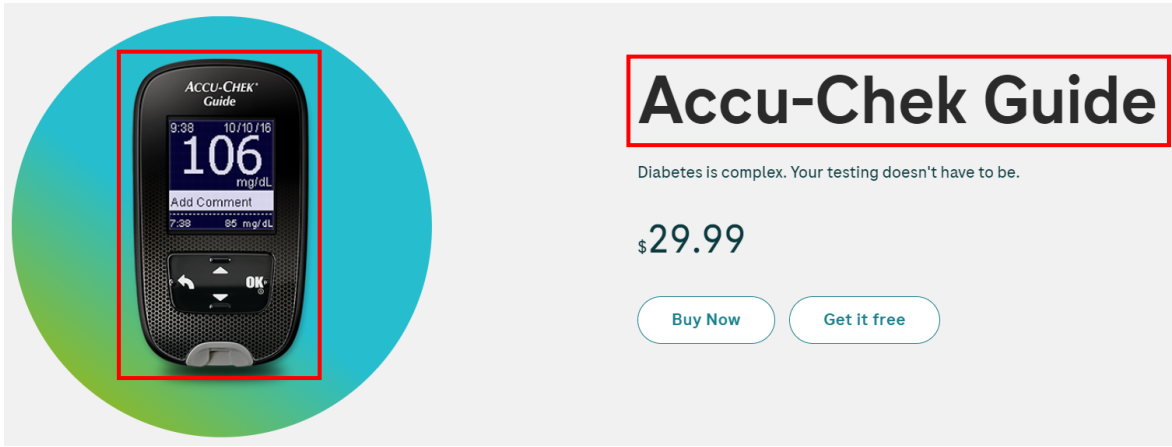
Claim	Analysis
<p>[1.P] A digital media communication protocol, comprising:</p>	<p>Roche Diagnostics Corporation ("Company") makes, uses, sells and/or offers to sell a digital media communication protocol.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Company provides Accu-Chek Guide, a blood glucose meter designed to measure blood sugar levels. It transmits the measured blood sugar levels to a mySugr app, installed on the user's smartphone, using Bluetooth wireless technology ("digital media communication protocol").</p> <div data-bbox="443 711 1608 1154">  </div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>

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5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

Bluetooth Wireless Technology – The meter uses *Bluetooth®* low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

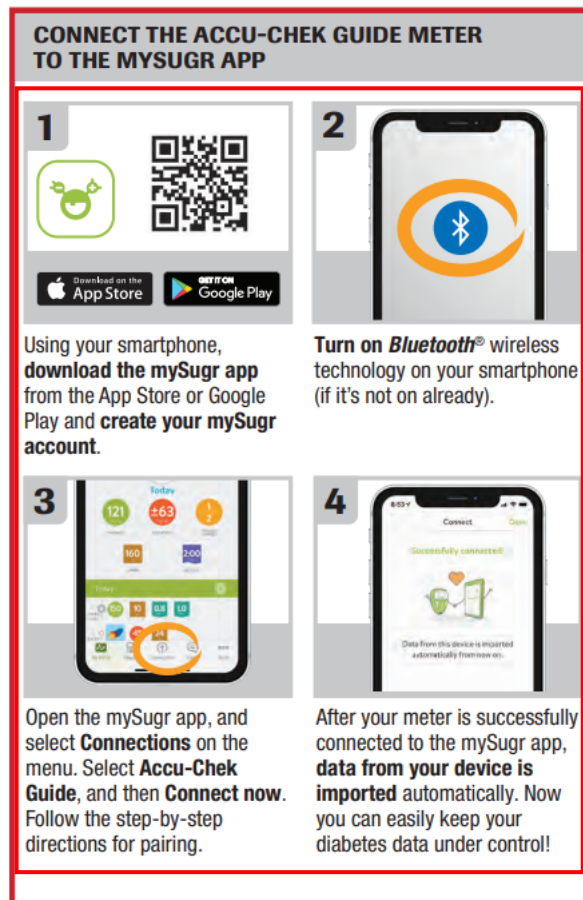
Exhibit 3 to the Complaint.

	<p data-bbox="472 267 1079 295">How can I transfer Accu-Chek meter data to mySugr?</p> <p data-bbox="1795 267 1816 284">^</p> <p data-bbox="472 394 1801 459"><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p data-bbox="472 509 1759 574">Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol data-bbox="472 625 1808 1096" style="list-style-type: none"> 1. If you are using an Apple device, make sure Bluetooth® is turned on. a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process. 2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.) 3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen. 4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it. 5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device. 6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p data-bbox="445 1117 1209 1149">Source: https://www.accu-chek.com/support/products/guide</p>
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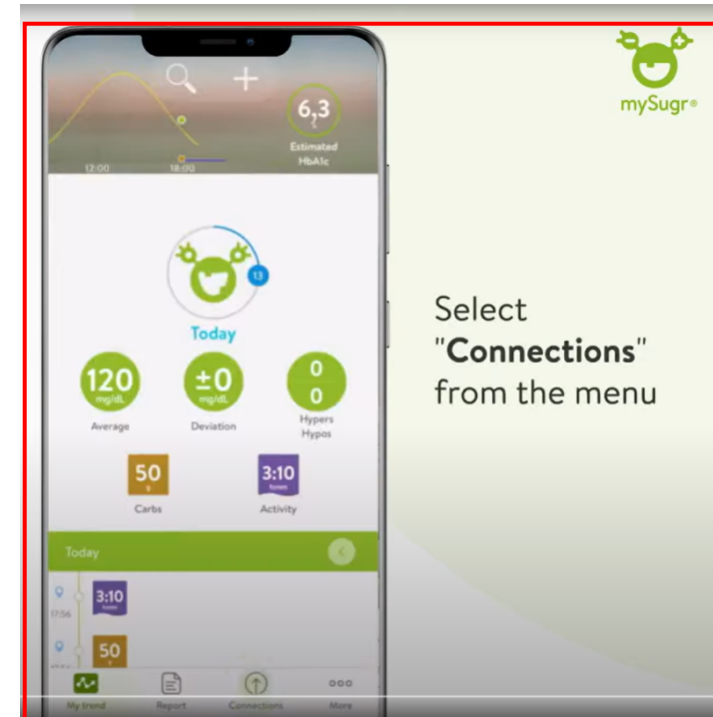
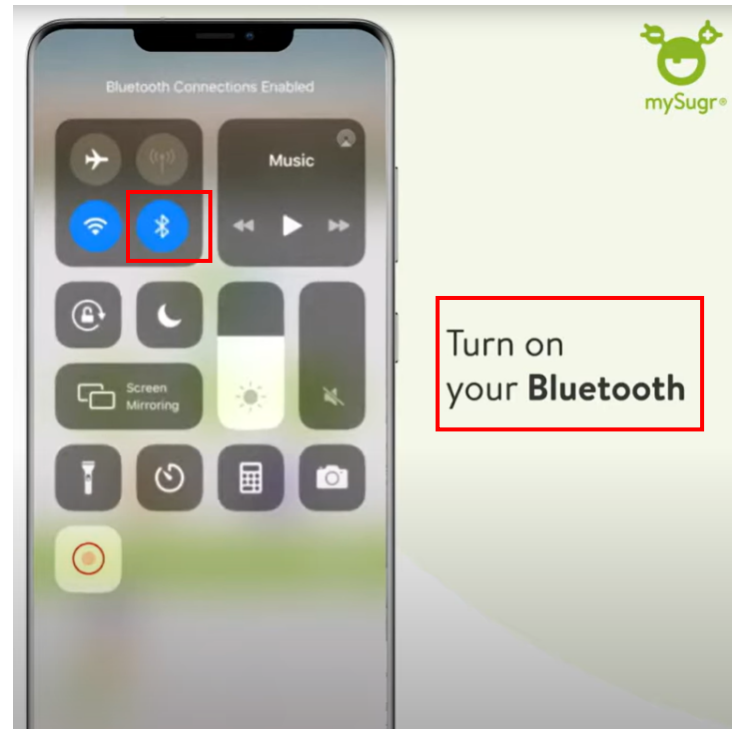
	<div>Easy Connection With Blood Sugar Meters ^</div> <div>Automatically transfer your values to the mySugr app via Bluetooth and analyze them with one click to identify your patterns more quickly.</div> <div>Source: https://www.mysugr.com/en-us/</div>
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Source: <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download>, Page 1 of 2

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Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09

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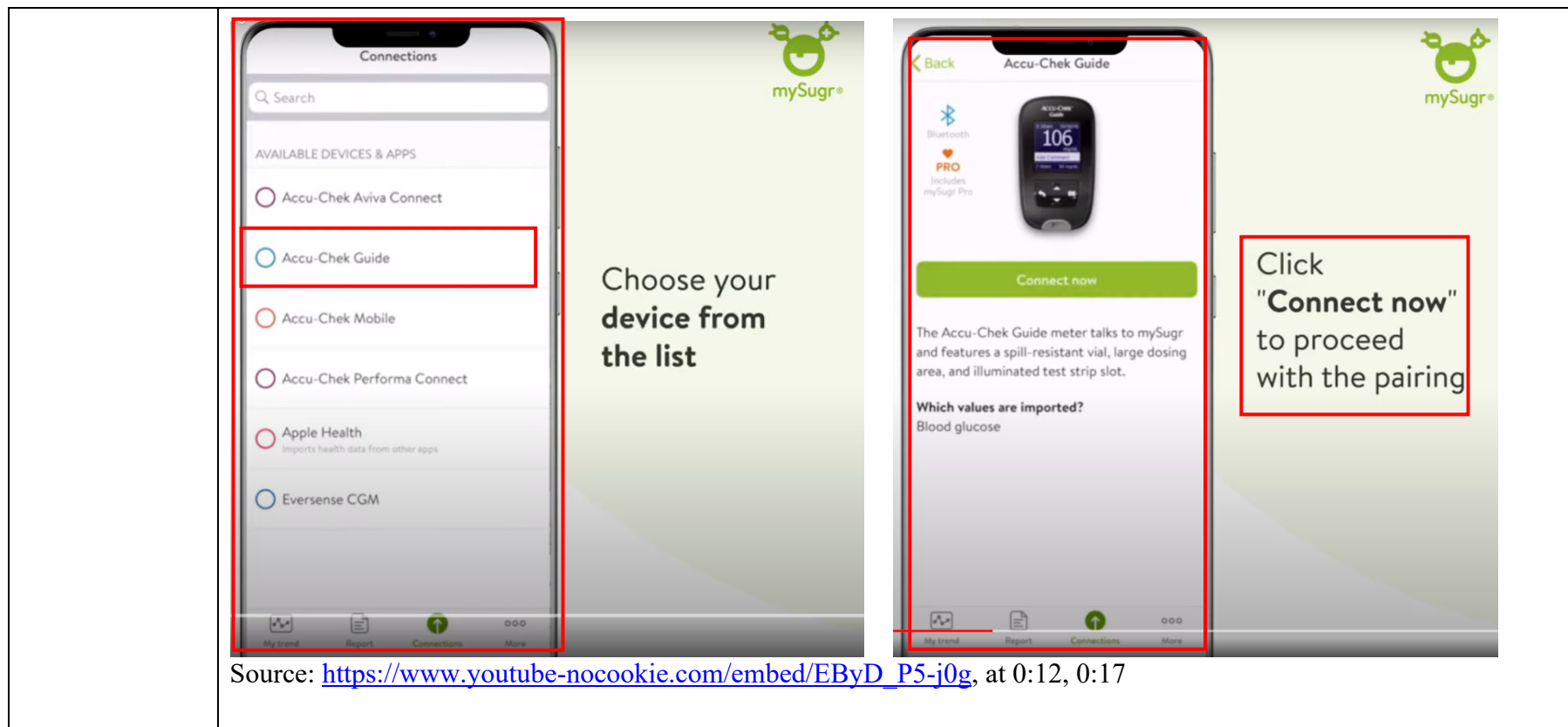
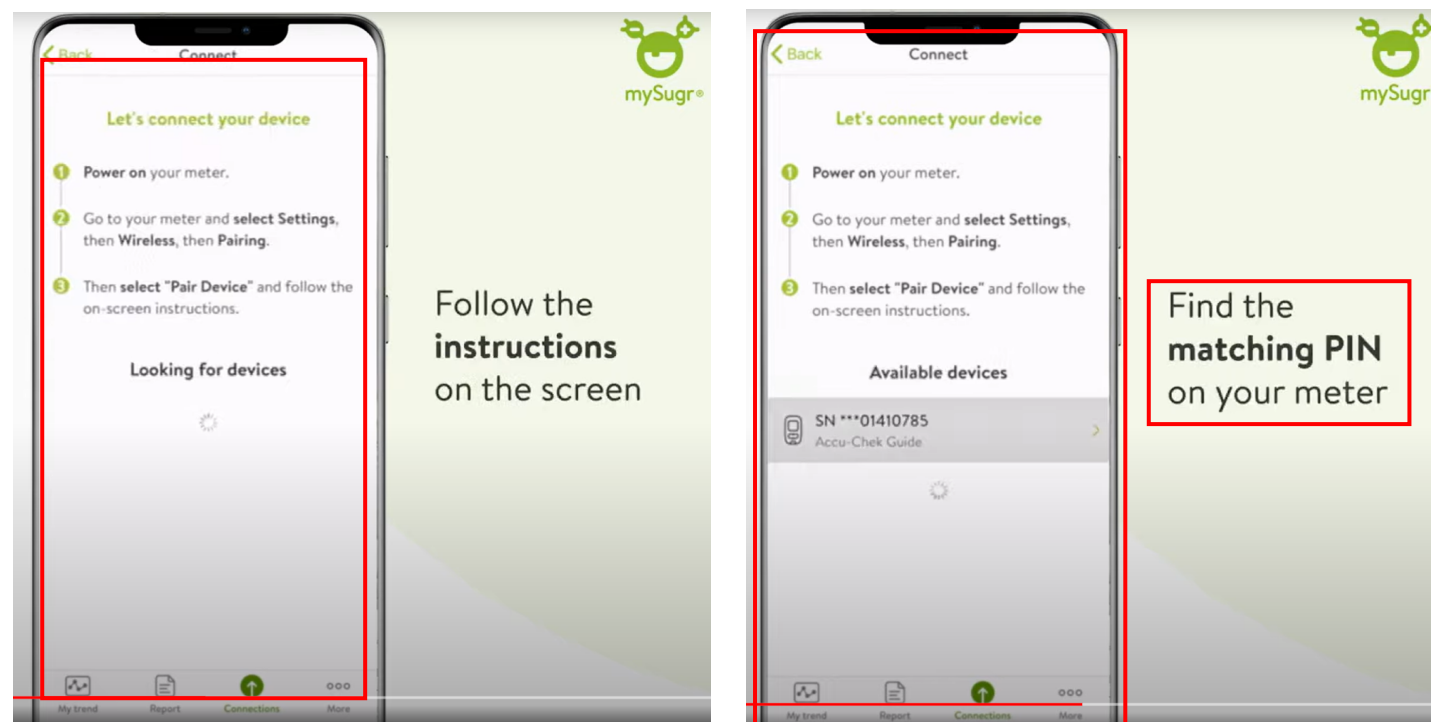
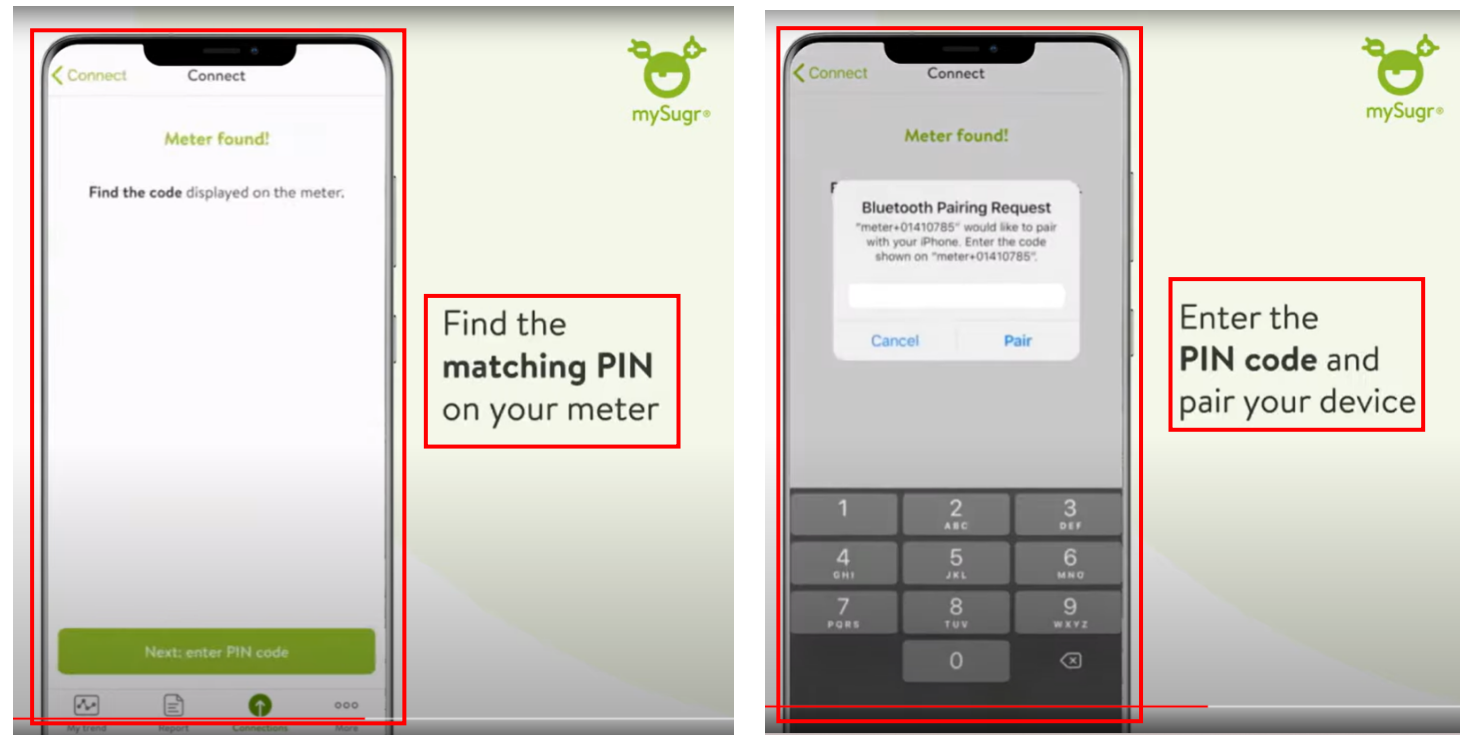


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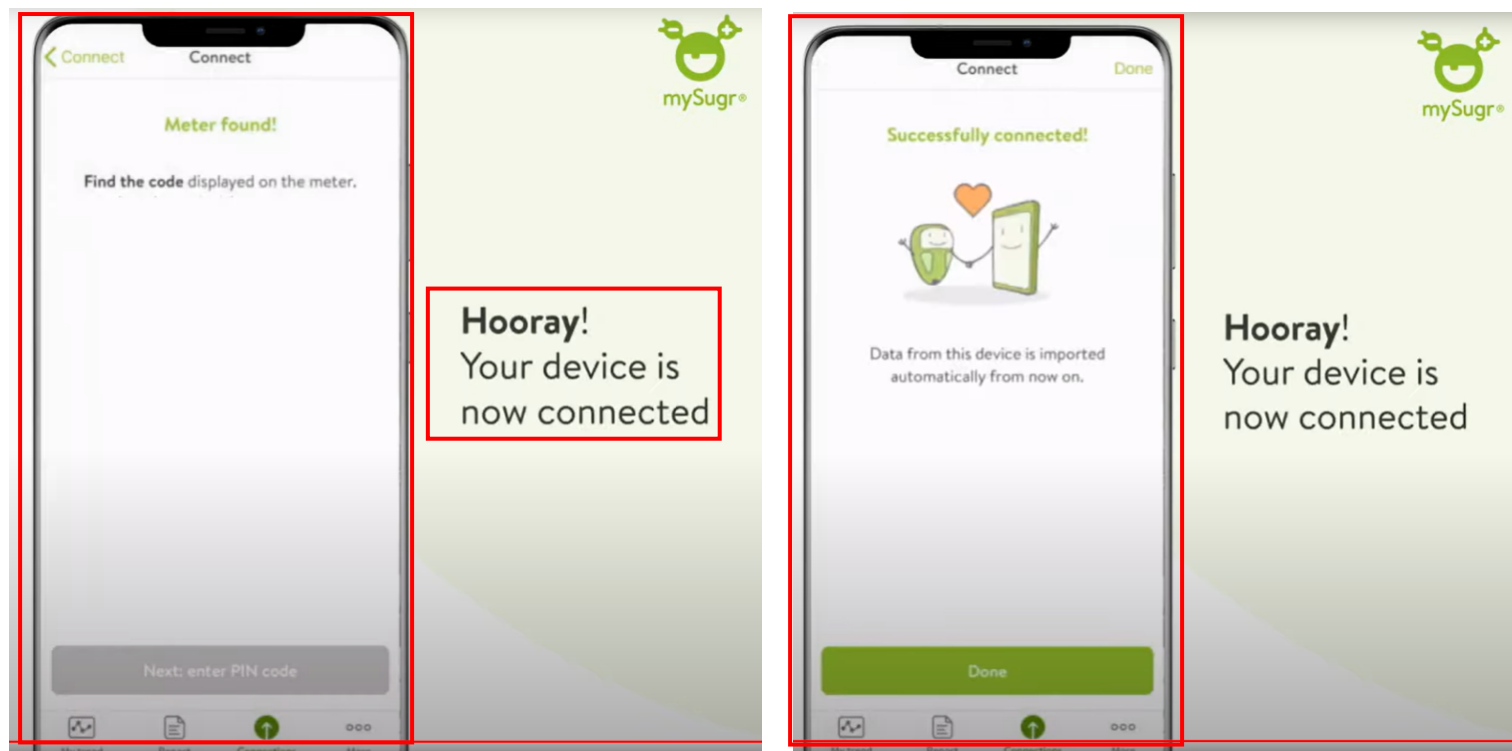
Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:19, 0:25

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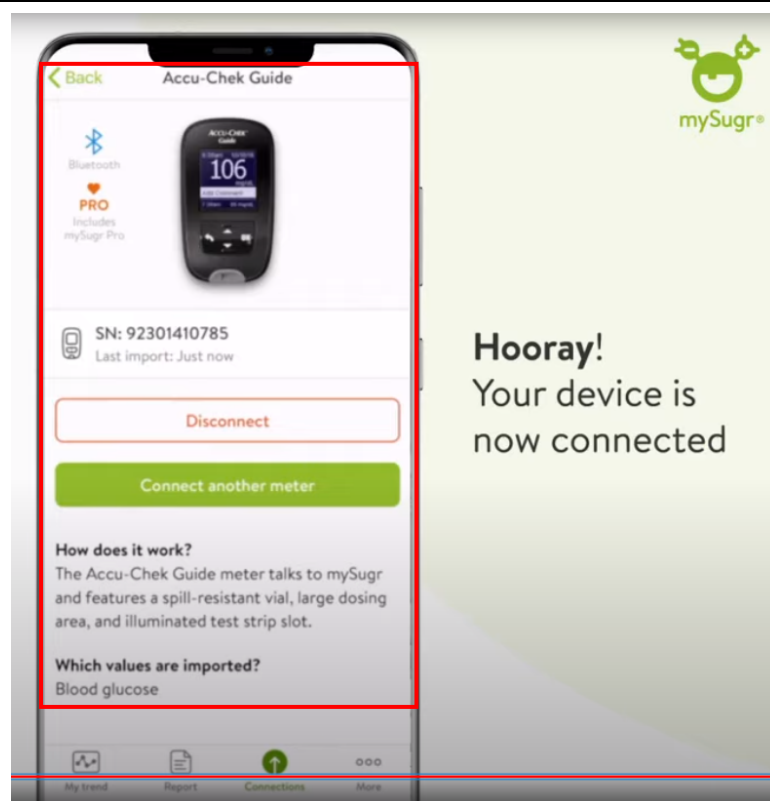
Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:26, 0:29

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Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:38, 0:40

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Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[1.1] at least one media terminal disposed in an accessible relation to at least one

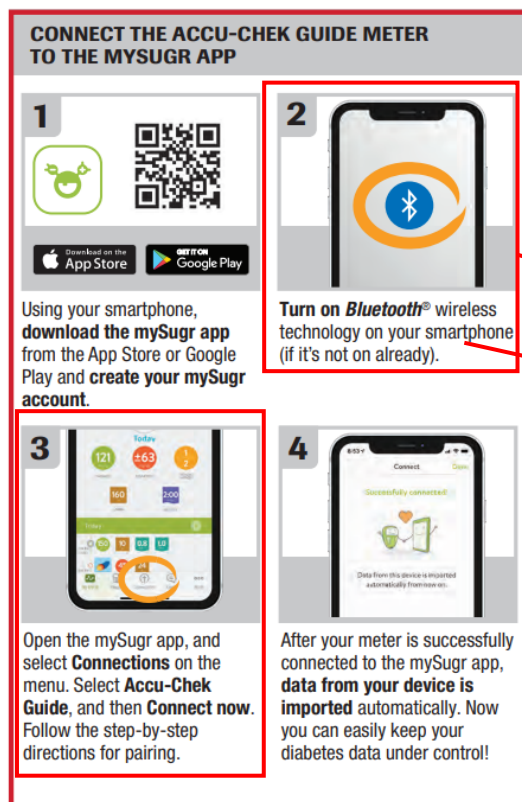
Company makes, uses, sells and/or offers to sell at least one media terminal disposed in an accessible relation to at least one interactive computer network.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

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interactive
computer
network,

For example, the Accu-Chek Guide transmits the blood sugar levels to the mySugr app, installed on the user's smartphone ("media terminal"), using Bluetooth network ("interactive computer network"). Since, the smartphone communicates and sends data to the Accu-Chek Guide using Bluetooth, it is apparent for a person having ordinary skills in the art that, the media terminal is disposed in an accessible relation with the Accu-Chek Guide using Bluetooth network.

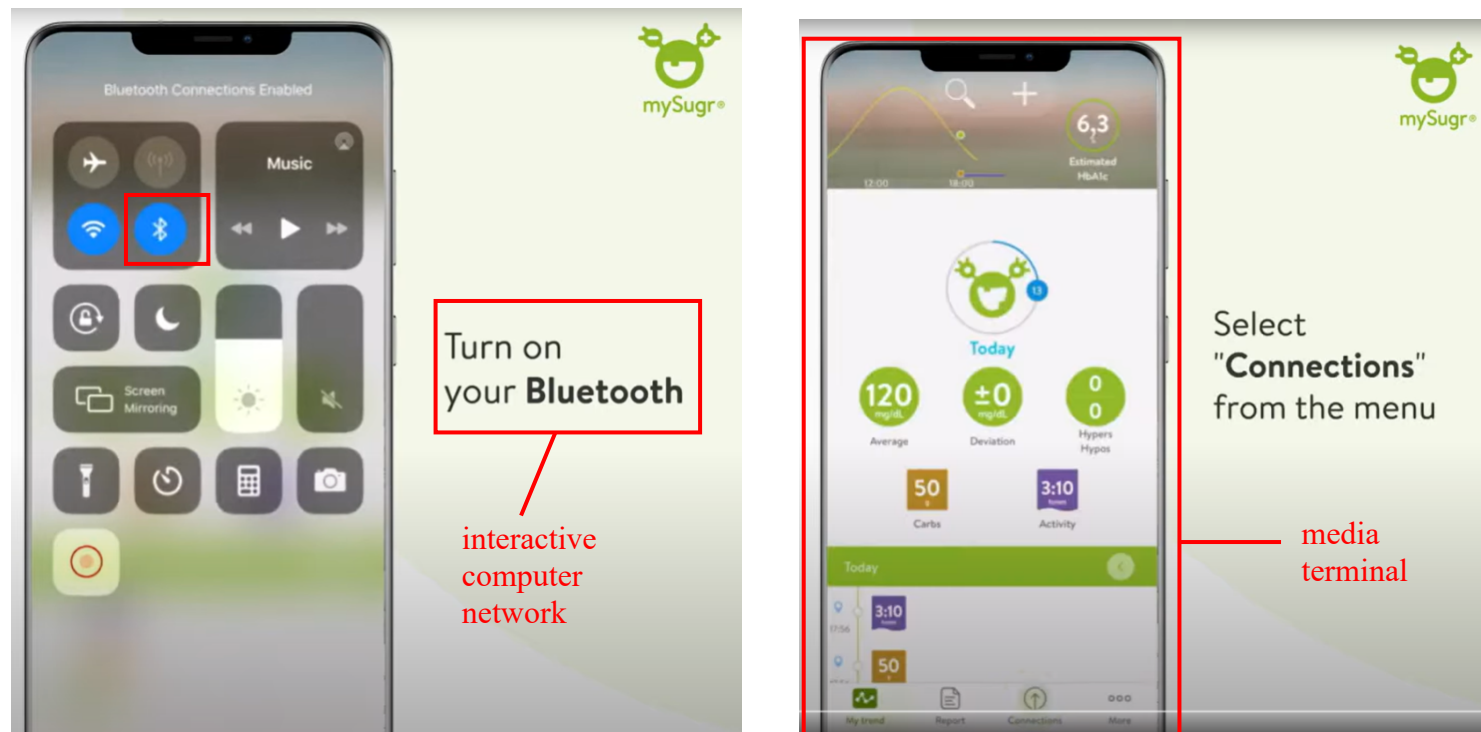


interactive
computer
network

media
terminal

Source: <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download>, Page 1 of 2 (annotated)

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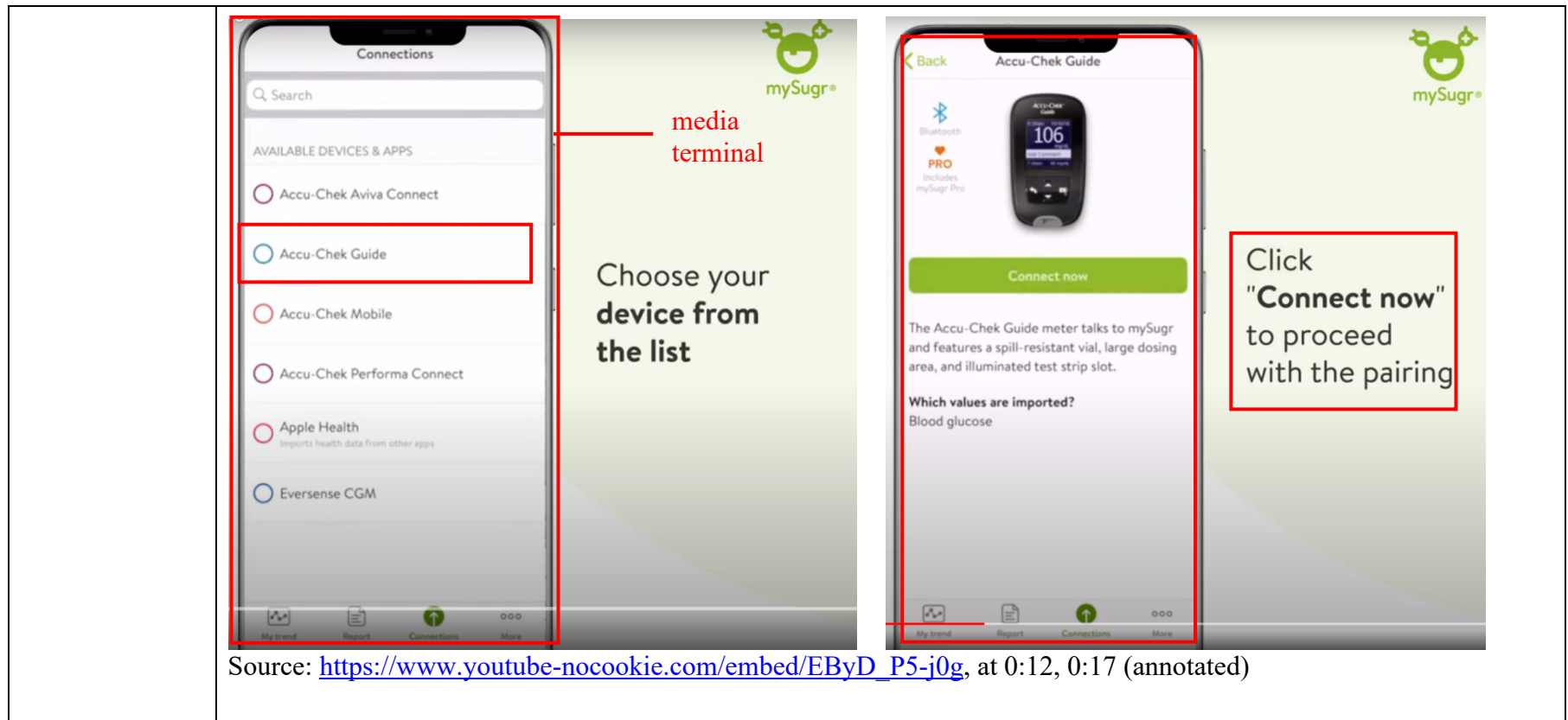
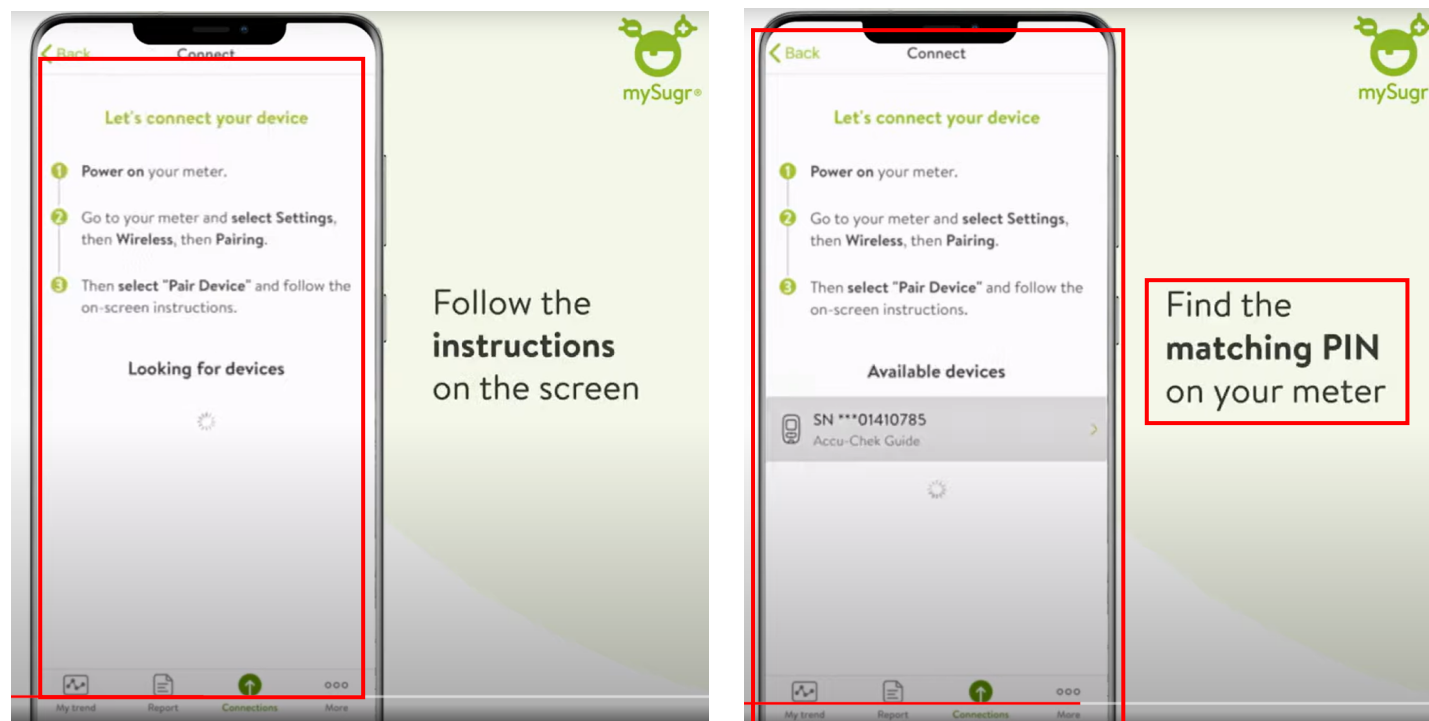
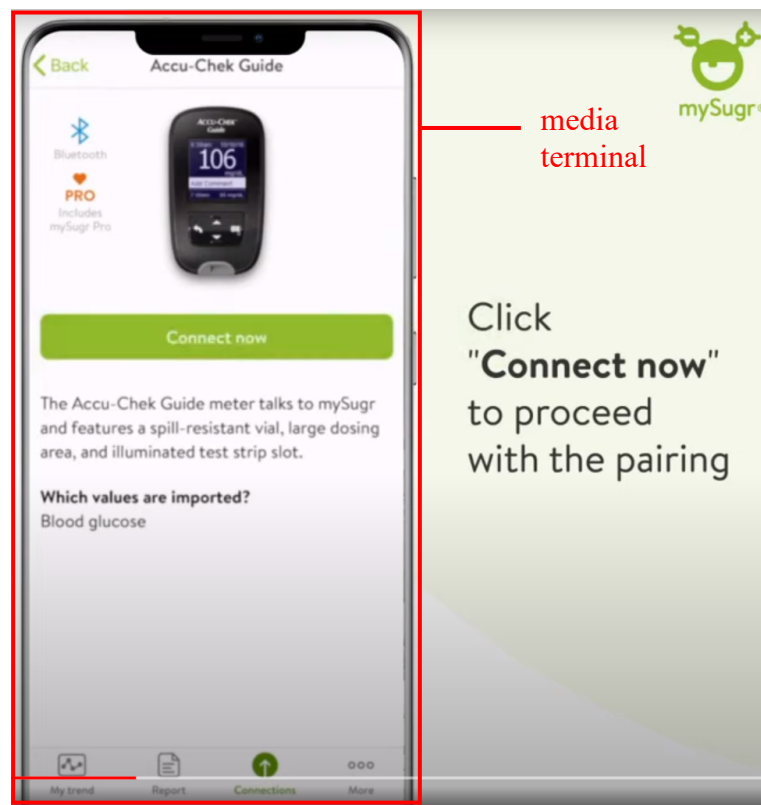


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Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:17 (annotated)

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	<div><h3>How can I transfer Accu-Chek meter data to mySugr? </h3><p>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your <u>blood sugar readings</u> into the app, saving you tons of time.</p><p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p><div><ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.</div><div><ol style="list-style-type: none">2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen</div><p>Source: https://www.accu-chek.com/support/products/guide</p></div>
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	<p> Other</p> <ul style="list-style-type: none"> • receive data from Internet • view network connections • pair with Bluetooth devices • access Bluetooth settings • full network access • run at startup • control vibration • prevent device from sleeping <p>Source: https://play.google.com/store/apps/details?id=com.mysugr.android.companion</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.2] a wireless range structured to permit authorized access to said at least one interactive computer network,</p>	<p>Company makes, uses, sells and/or offers to sell a wireless range structured to permit authorized access to said at least one interactive computer network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide and the smartphone, on which the mySugr app is installed, are paired with each other using the Bluetooth network (“interactive computer network”). This network facilitates the pairing of the smartphone and the Accu-Chek Guide when they are within Bluetooth range of each other. To complete the Bluetooth pairing, the user is required to input the PIN of the Accu-Chek Guide into the mySugr app (“permit authorized access”). Therefore, it would be apparent to a person of ordinary skill in the art that wireless range structured to permit authorized access to at least one interactive computer network.</p>

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5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

Bluetooth Wireless Technology – The meter uses *Bluetooth®* low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

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	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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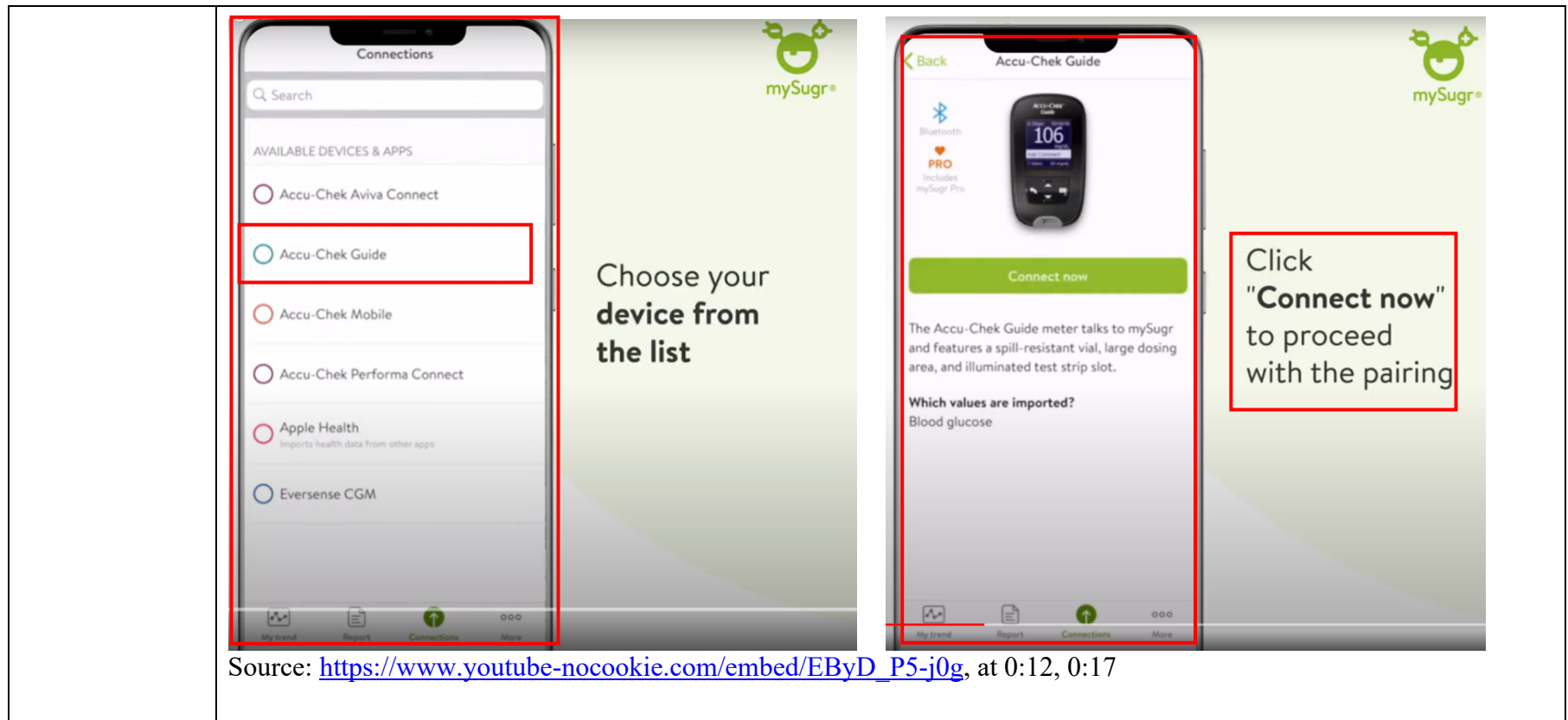


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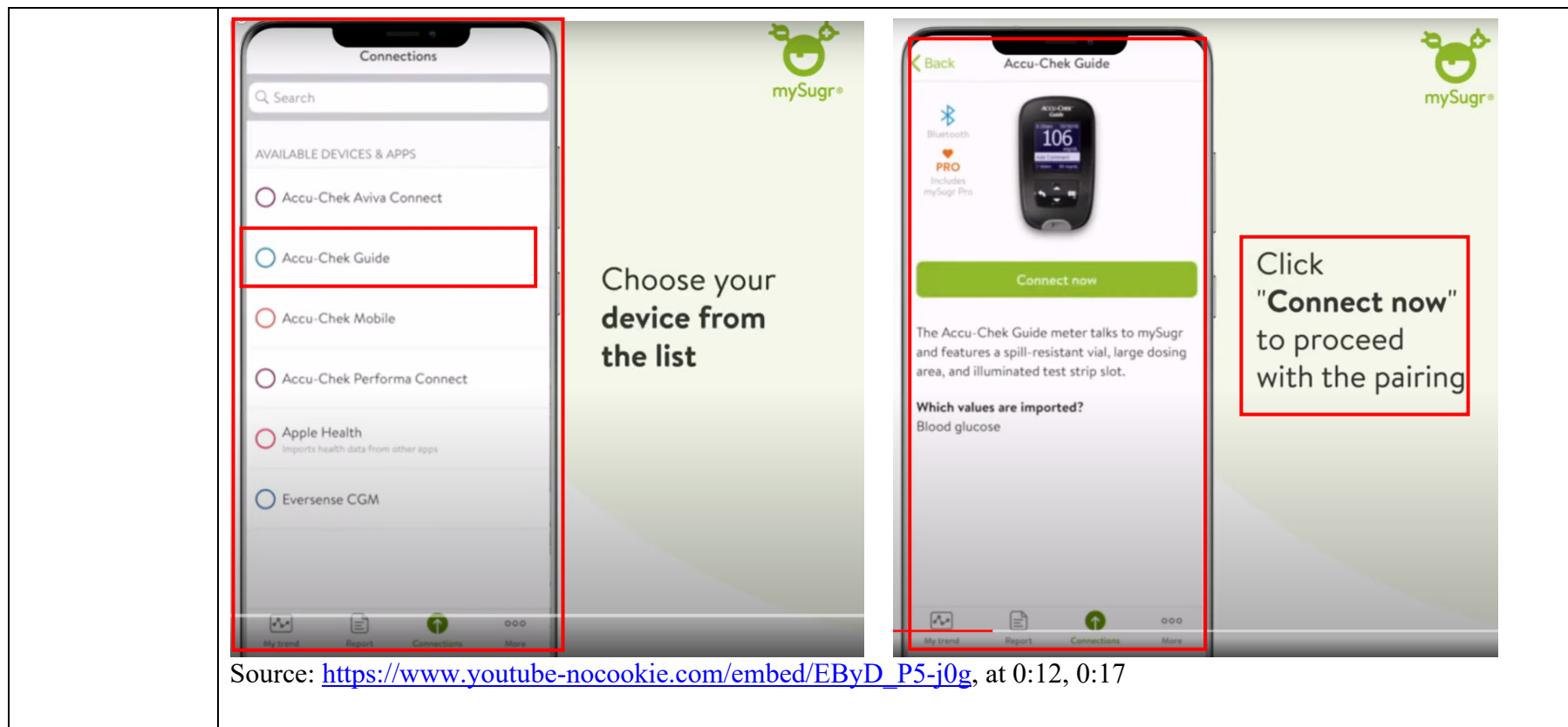
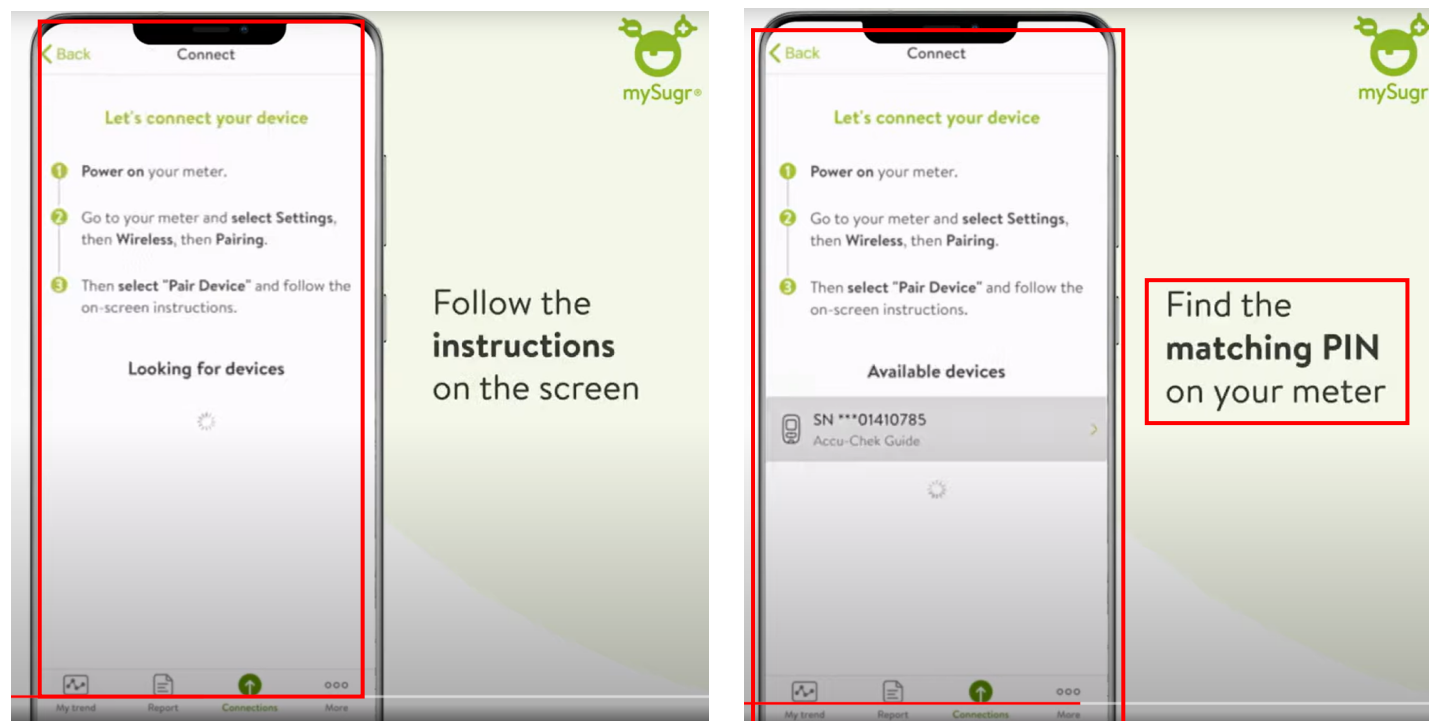


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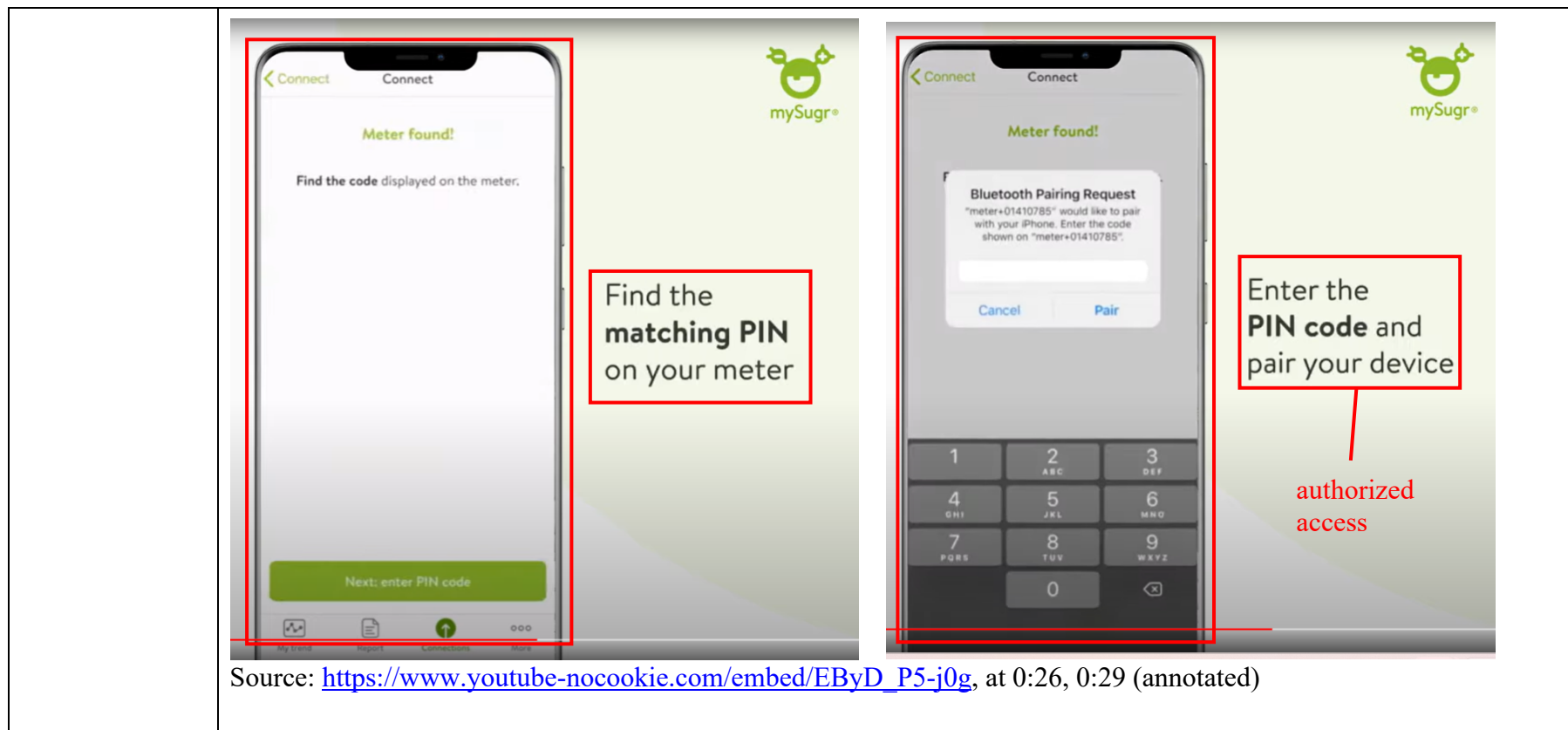
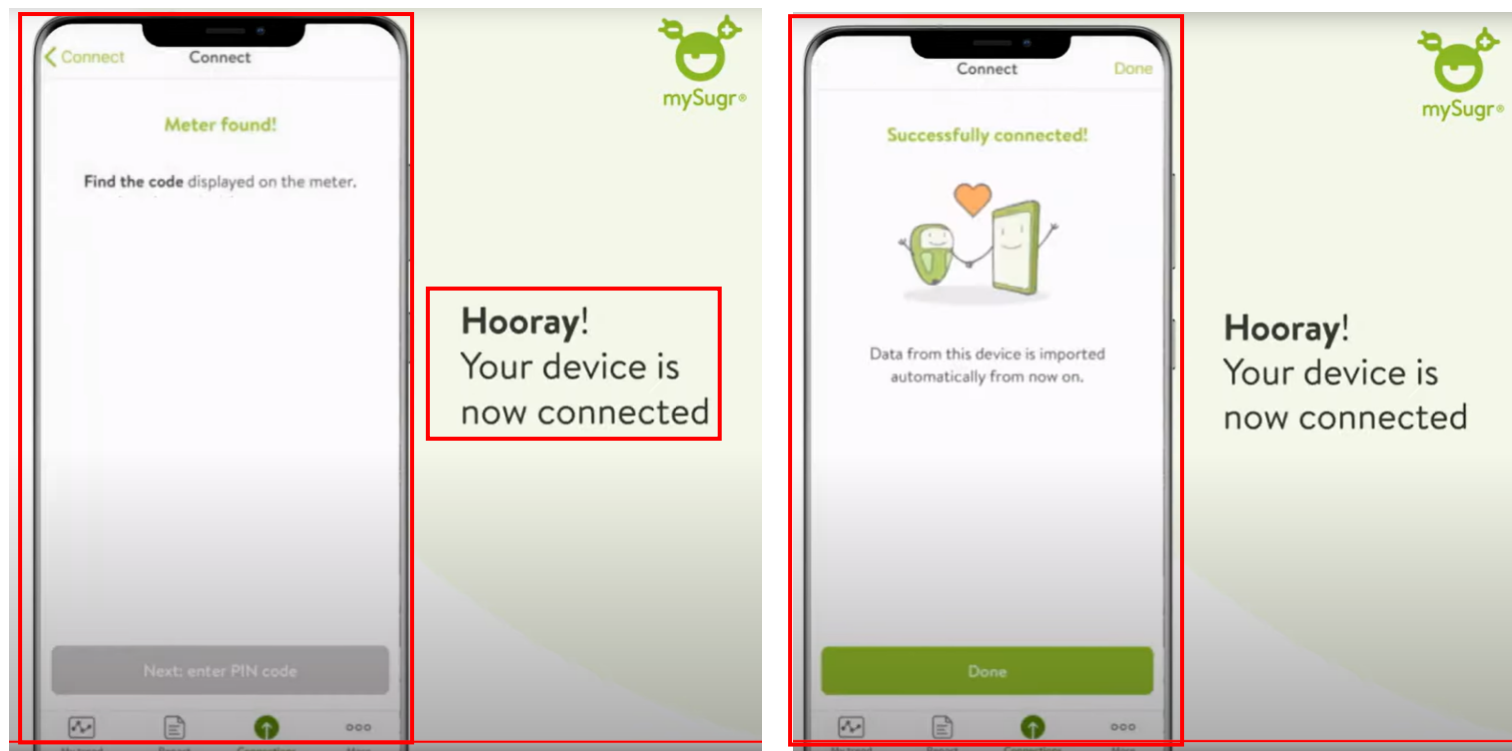
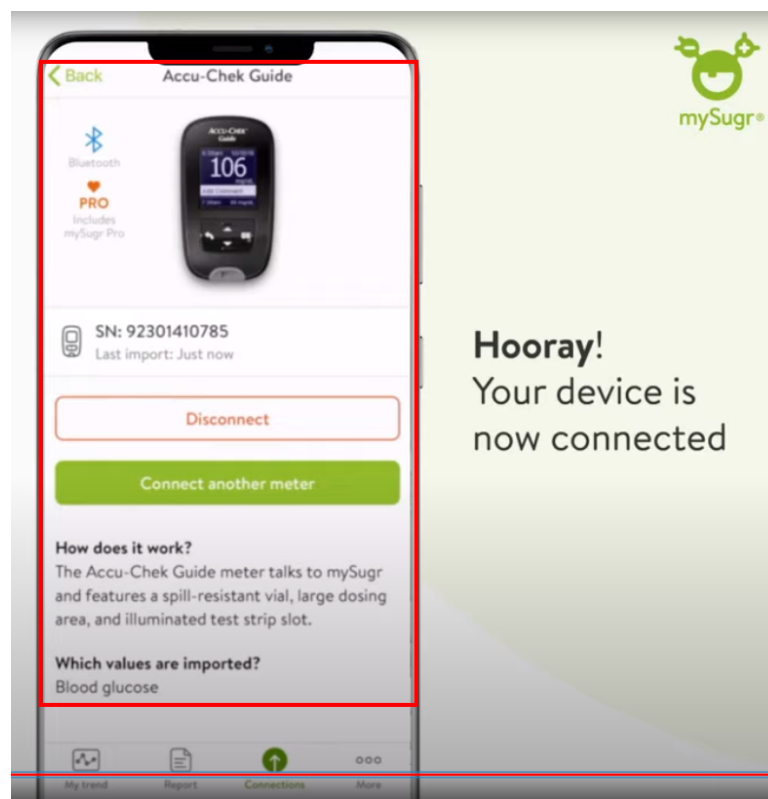


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Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by the Defendant.

[1.3] at least one media node disposable within said wireless

Company makes, uses, sells and/or offers to sell at least one media node disposable within said wireless range, wherein said at least one media node is detectable by said at least one media terminal.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

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range, wherein said at least one media node is detectable by said at least one media terminal,

For example, the Accu-Chek Guide ("media node") employs the Bluetooth network ("interactive computer network") to pair with the mySugr app which is installed on the user's smartphone. The smartphone, on which the mySugr app is installed, detects the Accu-Chek Guides which are within its Bluetooth range.

1 Personalized logging screen

Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

2 mySugr Analytics

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

3 Data Reports & Sharing

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.

media terminal

media node



Source: <https://www.accu-chek.com/products/mysugr> (annotated)

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5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

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media
node

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70 (annotated)

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CONNECT THE ACCU-CHEK GUIDE METER TO THE MYSUGR APP


1



Download on the App Store | GET IT ON Google Play


Using your smartphone, **download the mySugr app** from the App Store or Google Play and **create your mySugr account**.

2



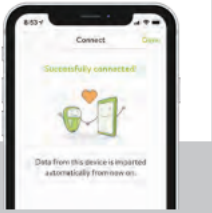
Turn on **Bluetooth®** wireless technology on your smartphone (if it's not on already).

3



Open the mySugr app, and select **Connections** on the menu. Select **Accu-Chek Guide**, and then **Connect now**. Follow the step-by-step directions for pairing.

4



After your meter is successfully connected to the mySugr app, **data from your device is imported** automatically. Now you can easily keep your diabetes data under control!

Source: <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download>, Page 1 of 2

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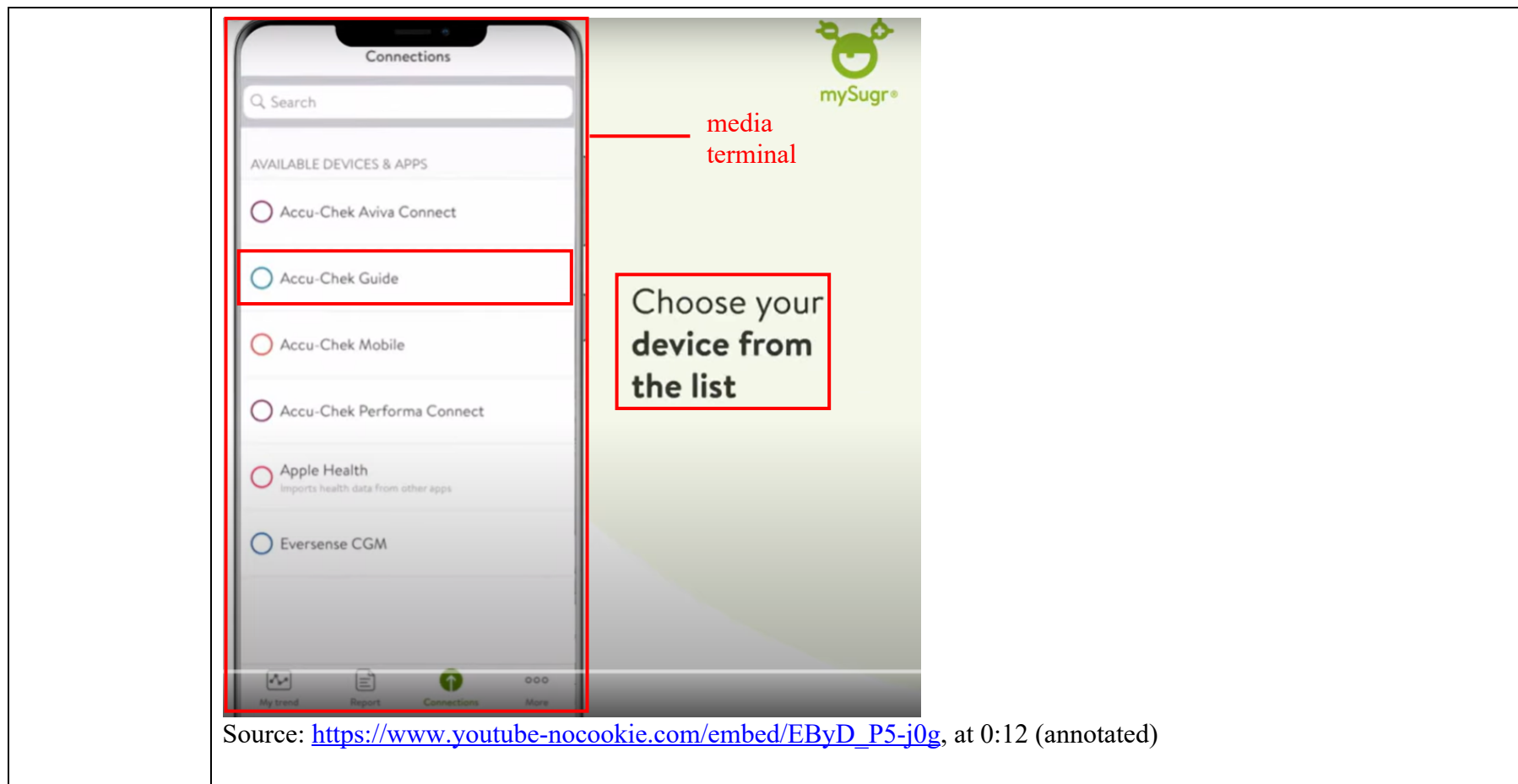


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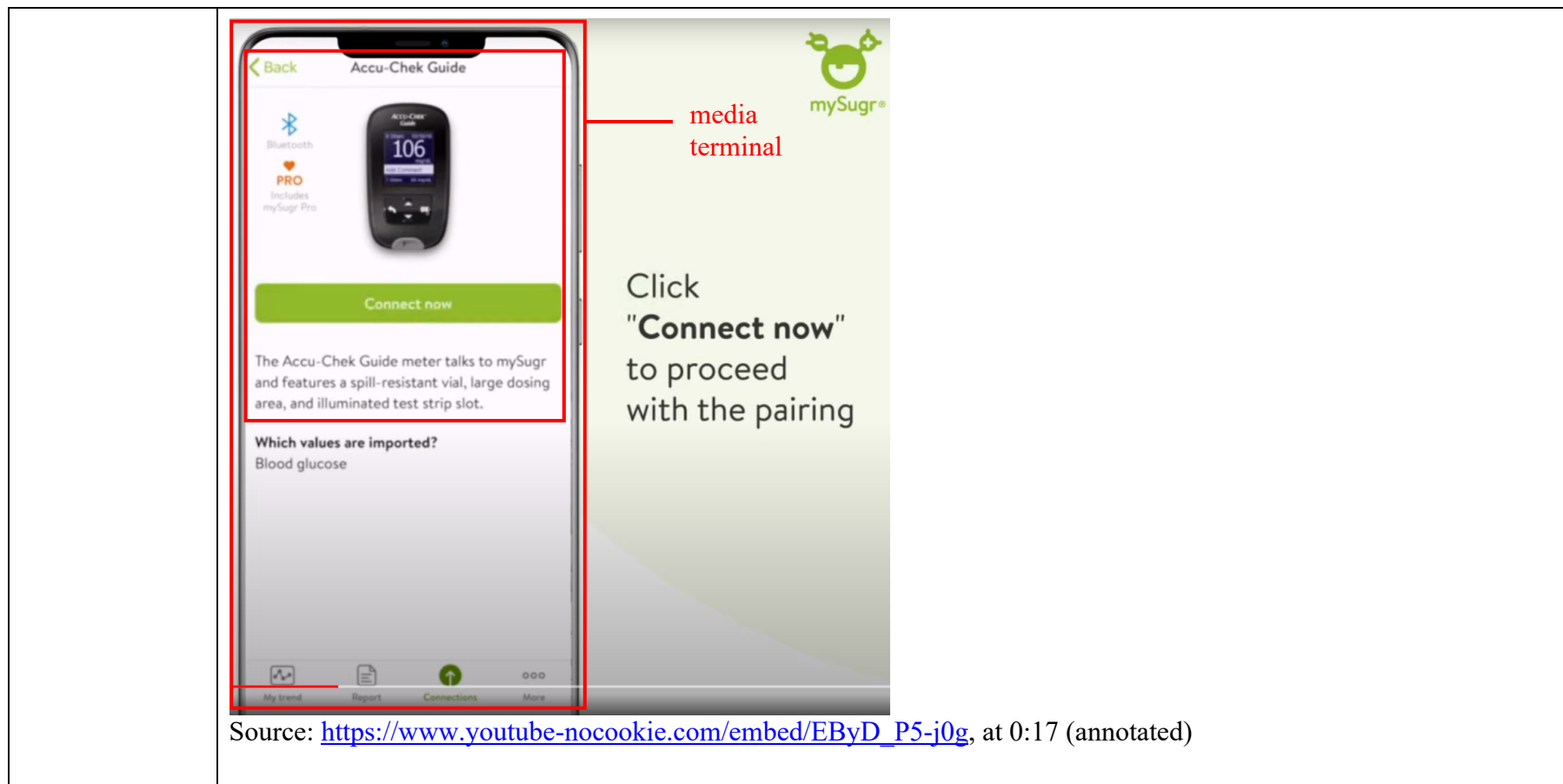


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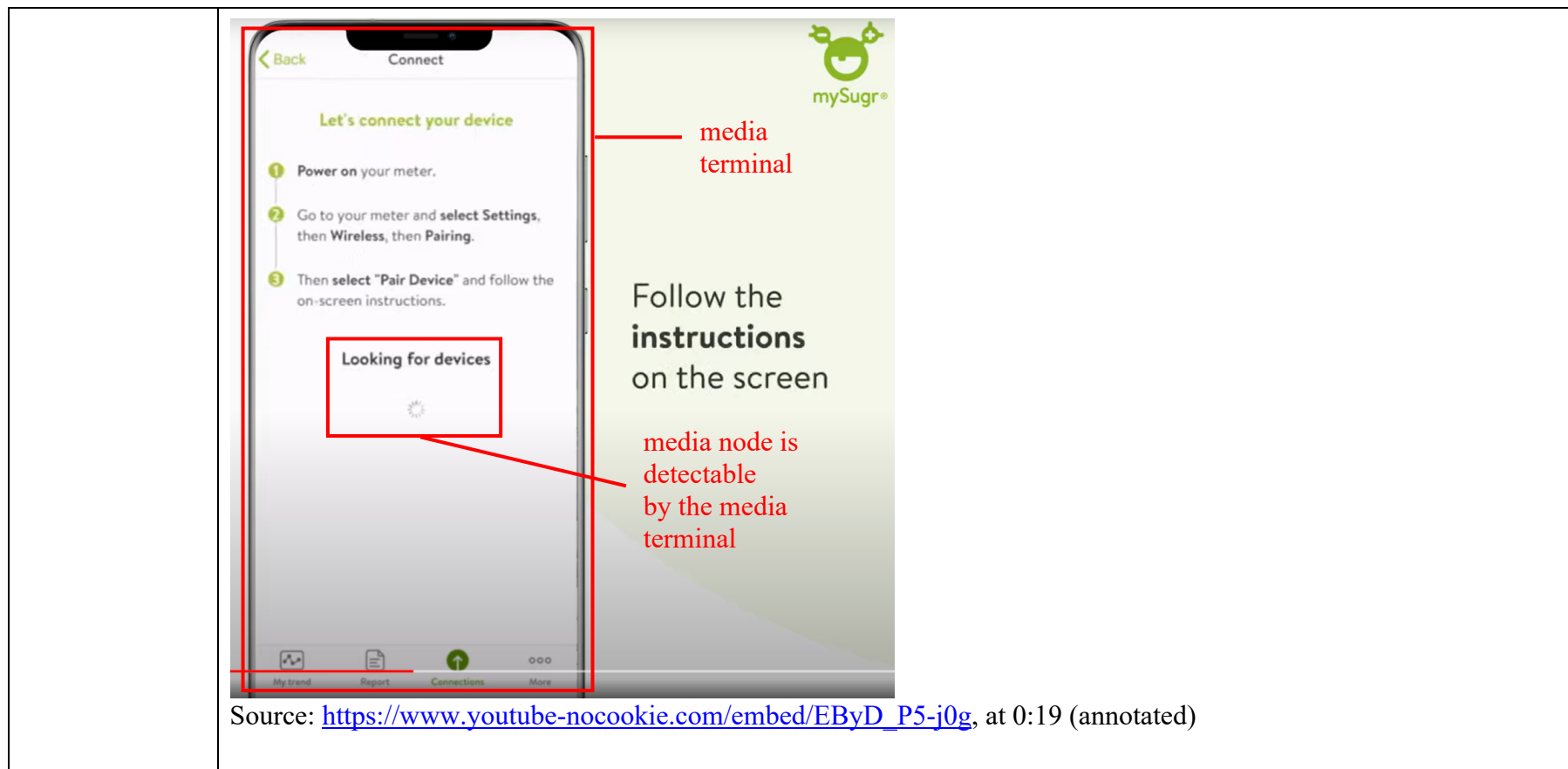


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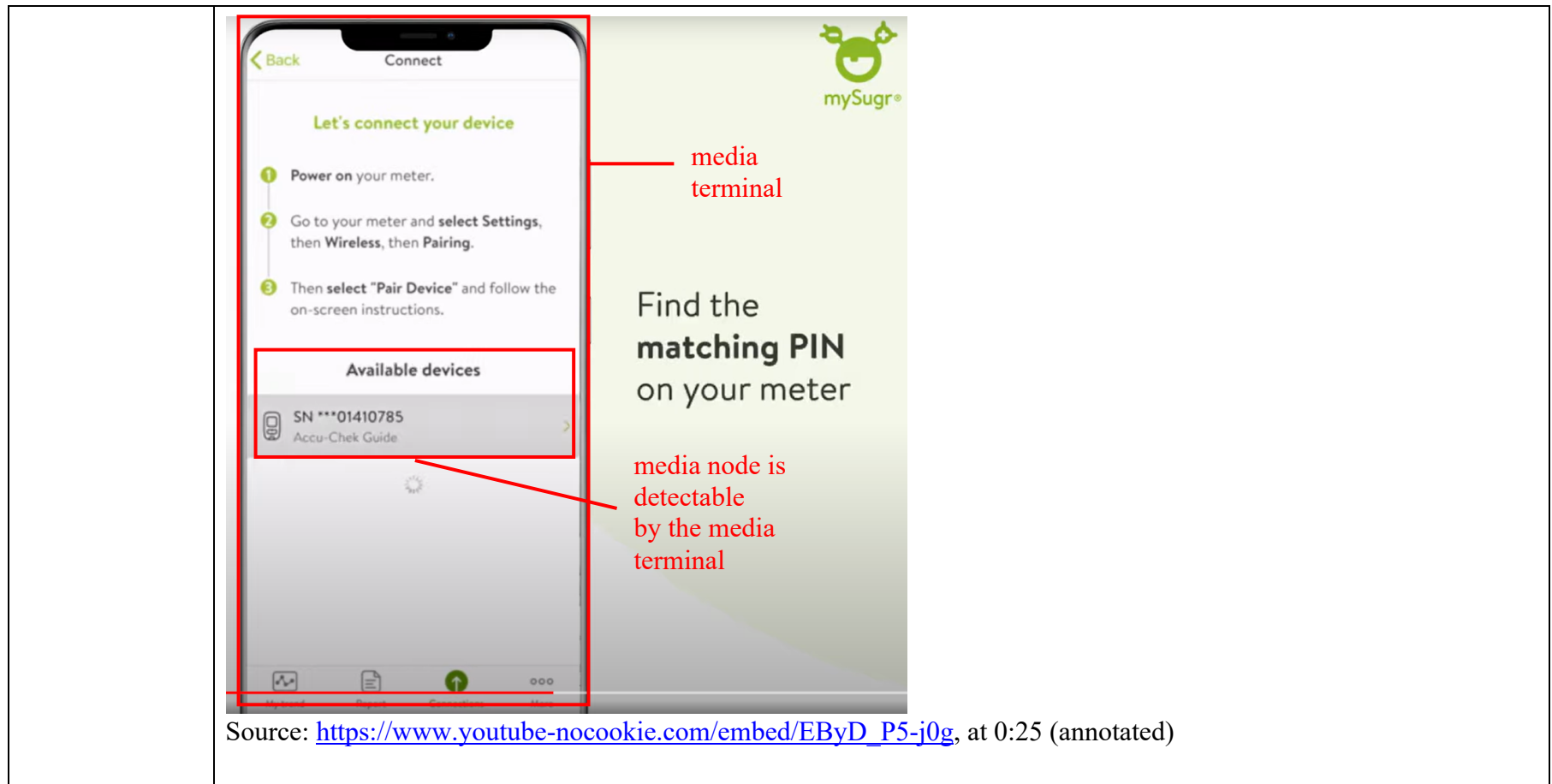


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	<p>How can I transfer Accu-Chek meter data to mySugr? ^</p> <p>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your <u>blood sugar readings</u> into the app, saving you tons of time.</p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none"> 1. If you are using an Apple device, make sure Bluetooth® is turned on. a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process. 2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.) 3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen. 4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it. 5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device. 6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.4] at least one digital media file initially disposed on at</p>	<p>Company makes, uses, sells and/or offers to sell at least one digital media file initially disposed on at least one of said at least one media terminal or said at least one media node, said at least one media terminal being structured to detect said at least one media node disposed within said wireless range.</p>

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<p>least one of said at least one media terminal or said at least one media node, said at least one media terminal being structured to detect said at least one media node disposed within said wireless range,</p>	<p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide blood glucose meter is used to measures the blood sugar levels (“digital media file”). These measured blood sugar levels are saved in the Accu-Chek Guide meter (“digital media file initially disposed on at least one of said media terminal or said media node”). The mySugr app installed in the user’s smartphone detects (“at least one media terminal being structured to detect said at least one media node”) the Accu-Chek Guide meter through Bluetooth and establishes a connection (gets paired).</p> <p>The Accu-Chek Guide System</p> <p>The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.</p> <p>The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.</p> <p>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70</p>
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	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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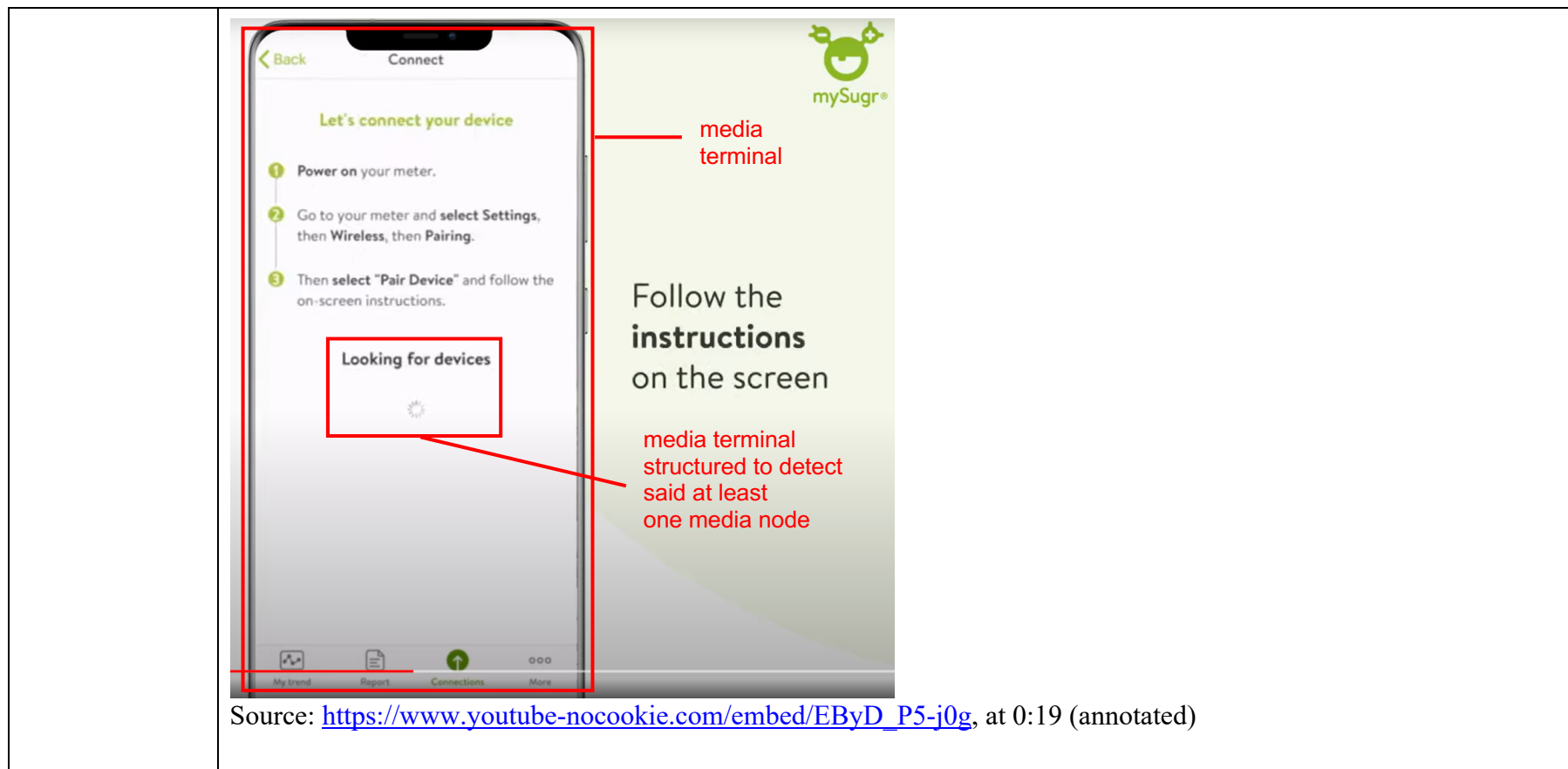


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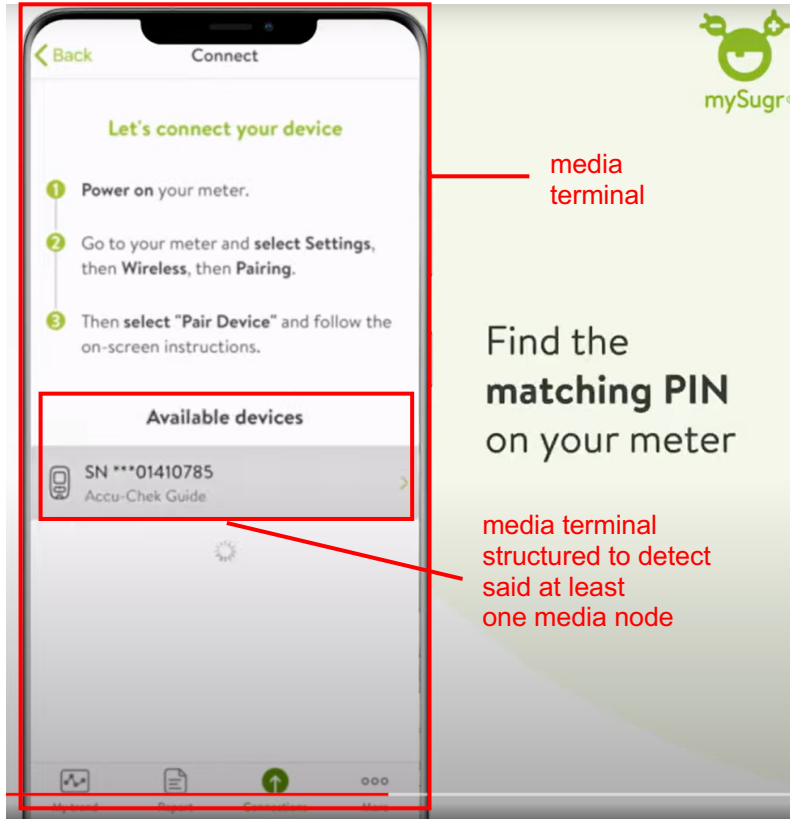
	<div data-bbox="441 250 1226 1065"><p>media terminal</p><p>media terminal structured to detect said at least one media node</p></div> <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:25 (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.5] a communication link structured to dispose said at least one</p>	<p>Company makes, uses, sells and/or offers to sell a communication link structured to dispose said at least one media terminal and said at least one media node in a communicative relation with one another via said at least one interactive computer network.</p>

Exhibit 3 to the Complaint.

<p>media terminal and said at least one media node in a communicative relation with one another via said at least one interactive computer network,</p>	<p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, mySugr app installed on the user’s smartphone and Accu-Chek Guide establishes a connection through Bluetooth pairing. This process creates a Bluetooth channel (“communication link structured to dispose”) between Accu-Chek Guide meter and mySugr app for the transfer of the measured blood sugar levels (“a communicative relation with one another via said interactive computer network”).</p> <div data-bbox="443 557 1398 878"><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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Exhibit 3 to the Complaint.

Bluetooth Wireless Technology – The

meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at

2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


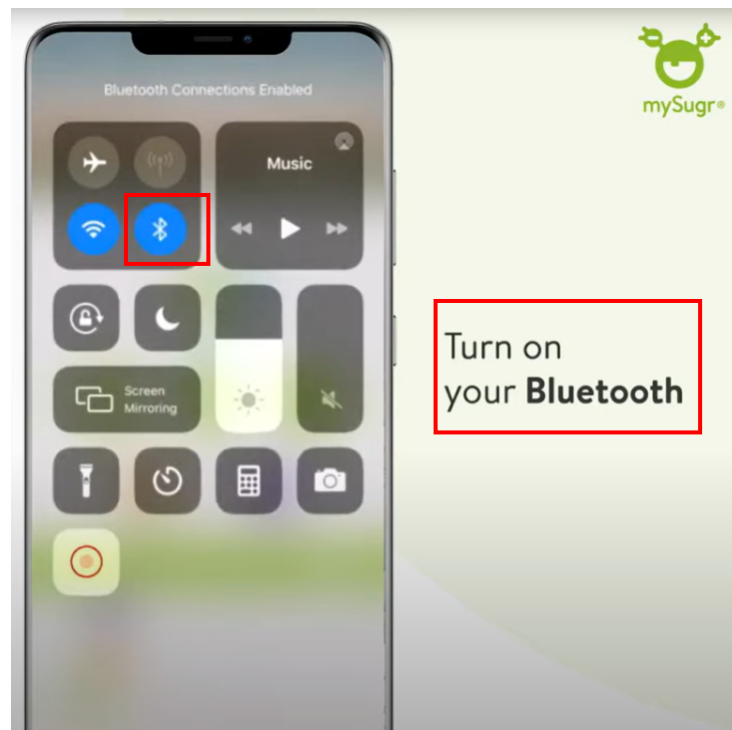
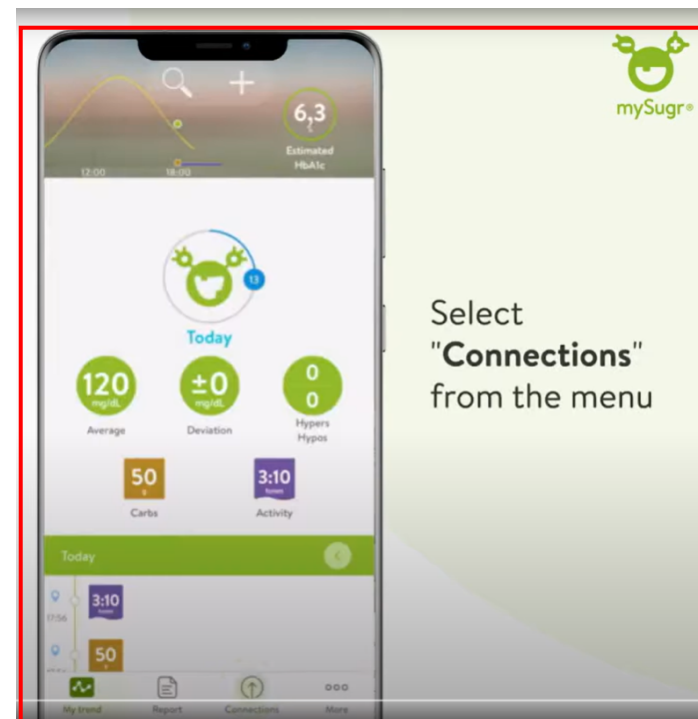
	<div><h3>How can I transfer Accu-Chek meter data to mySugr? </h3><p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p><p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p><div><ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen</div><p>Source: https://www.accu-chek.com/support/products/guide</p></div>
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Exhibit 3 to the Complaint.



Turn on
your **Bluetooth**



Select
"Connections"
from the menu

Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09

Exhibit 3 to the Complaint.

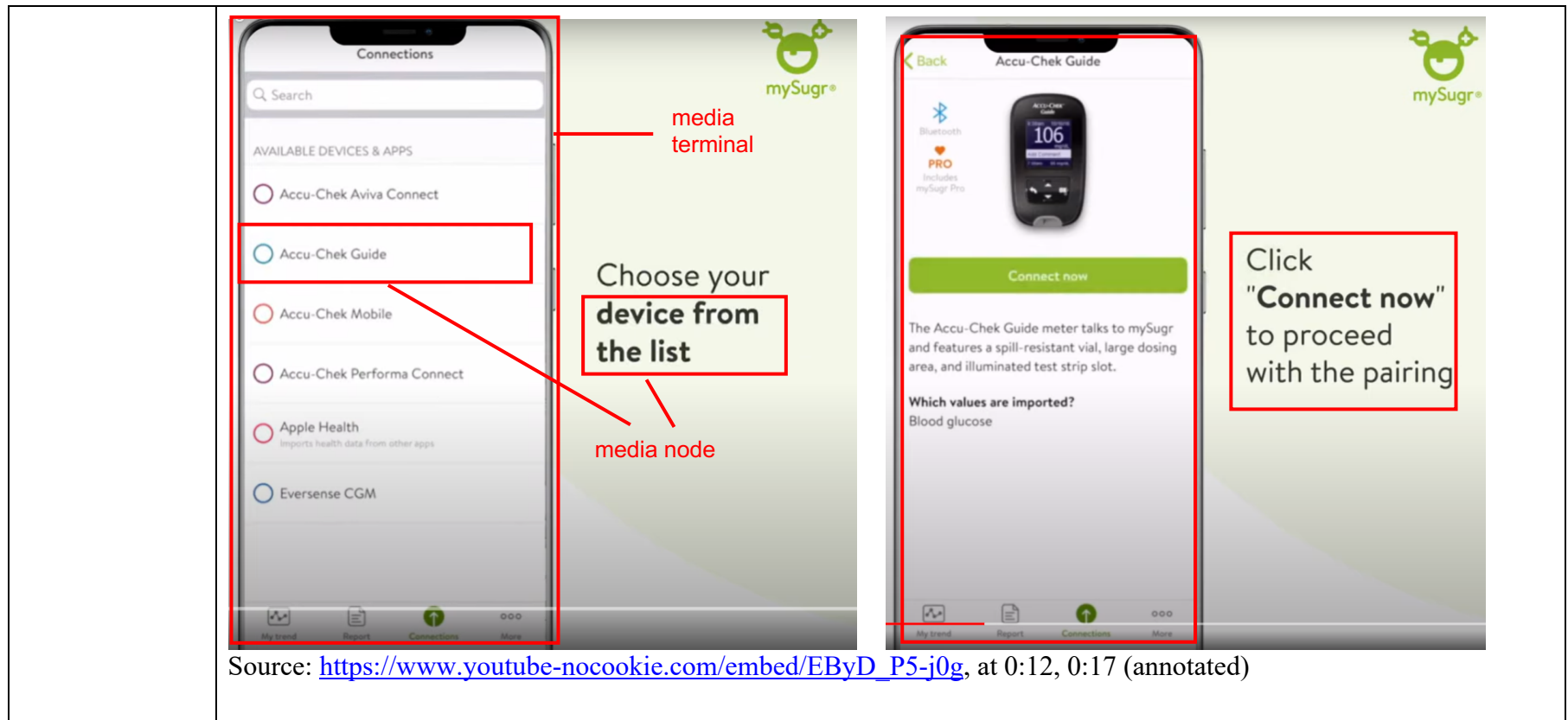
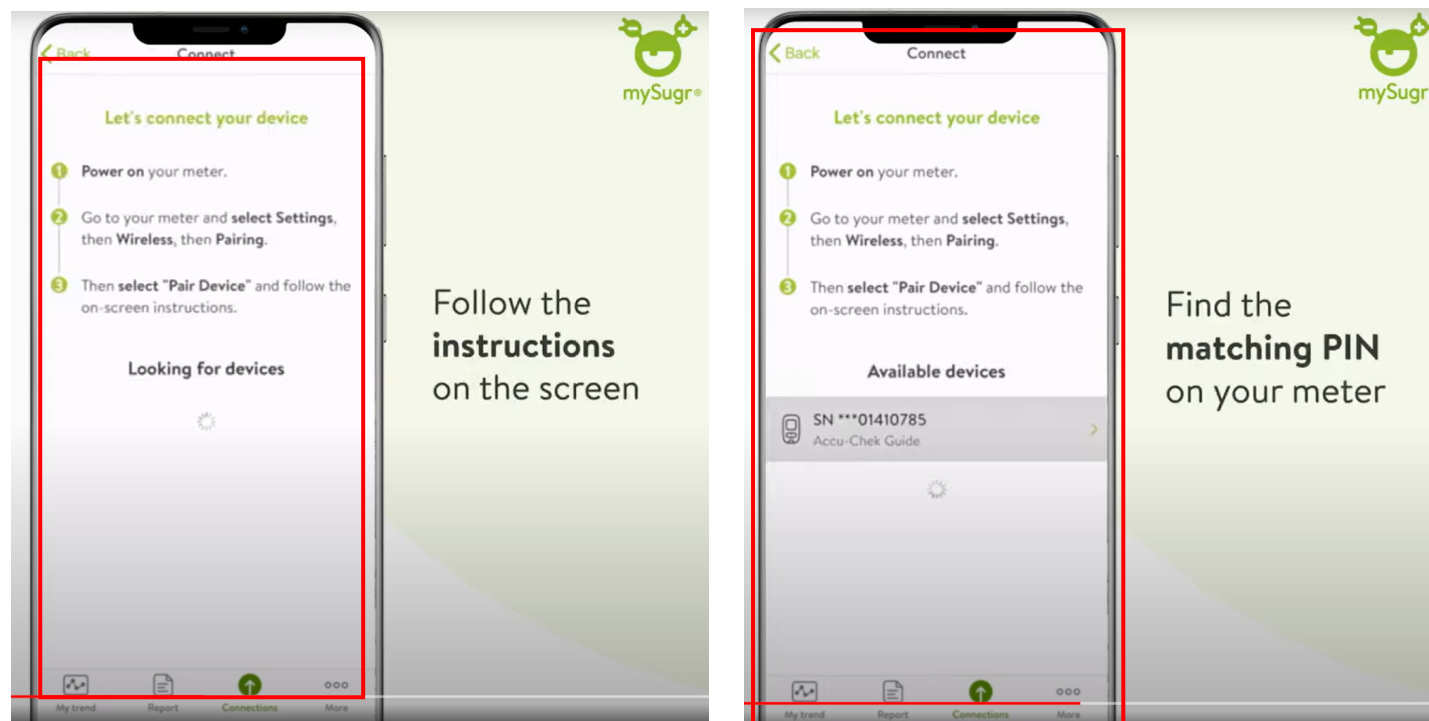
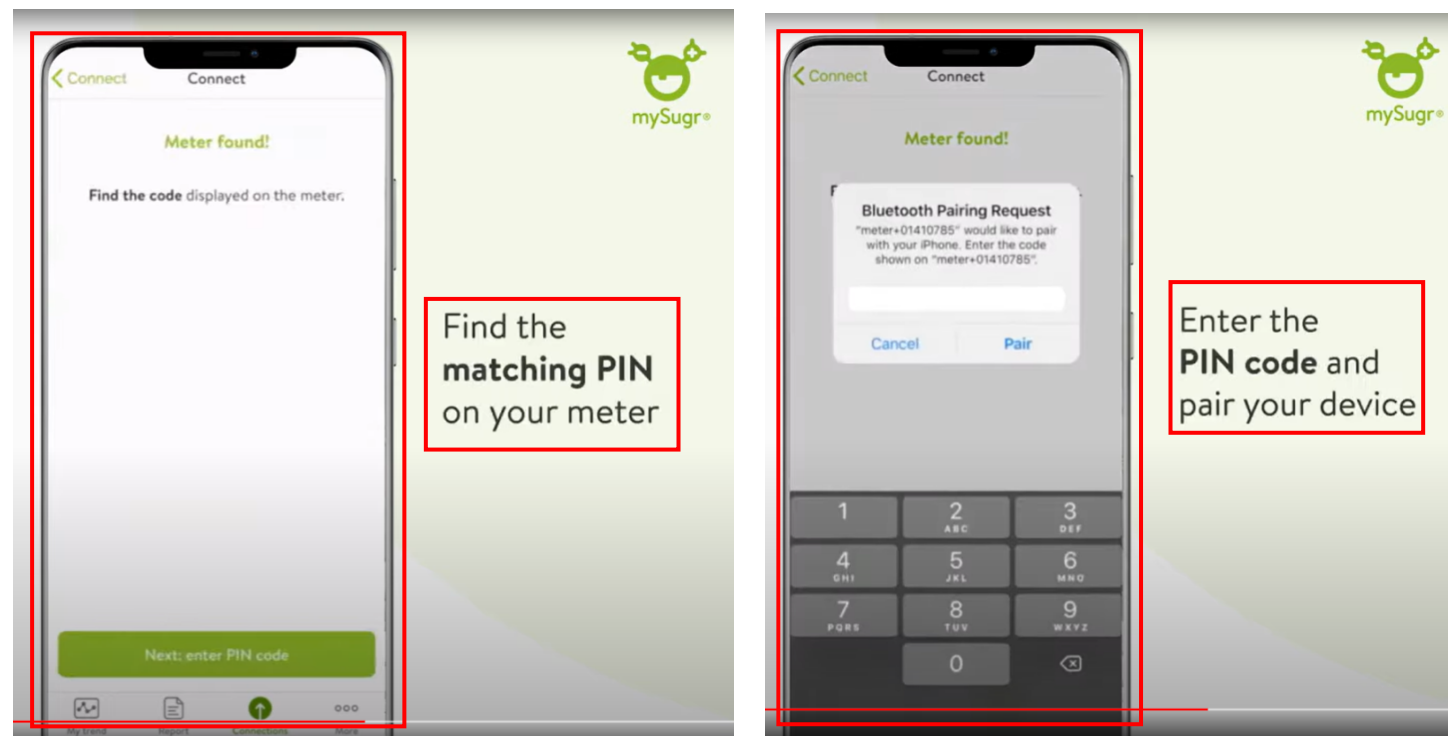


Exhibit 3 to the Complaint.



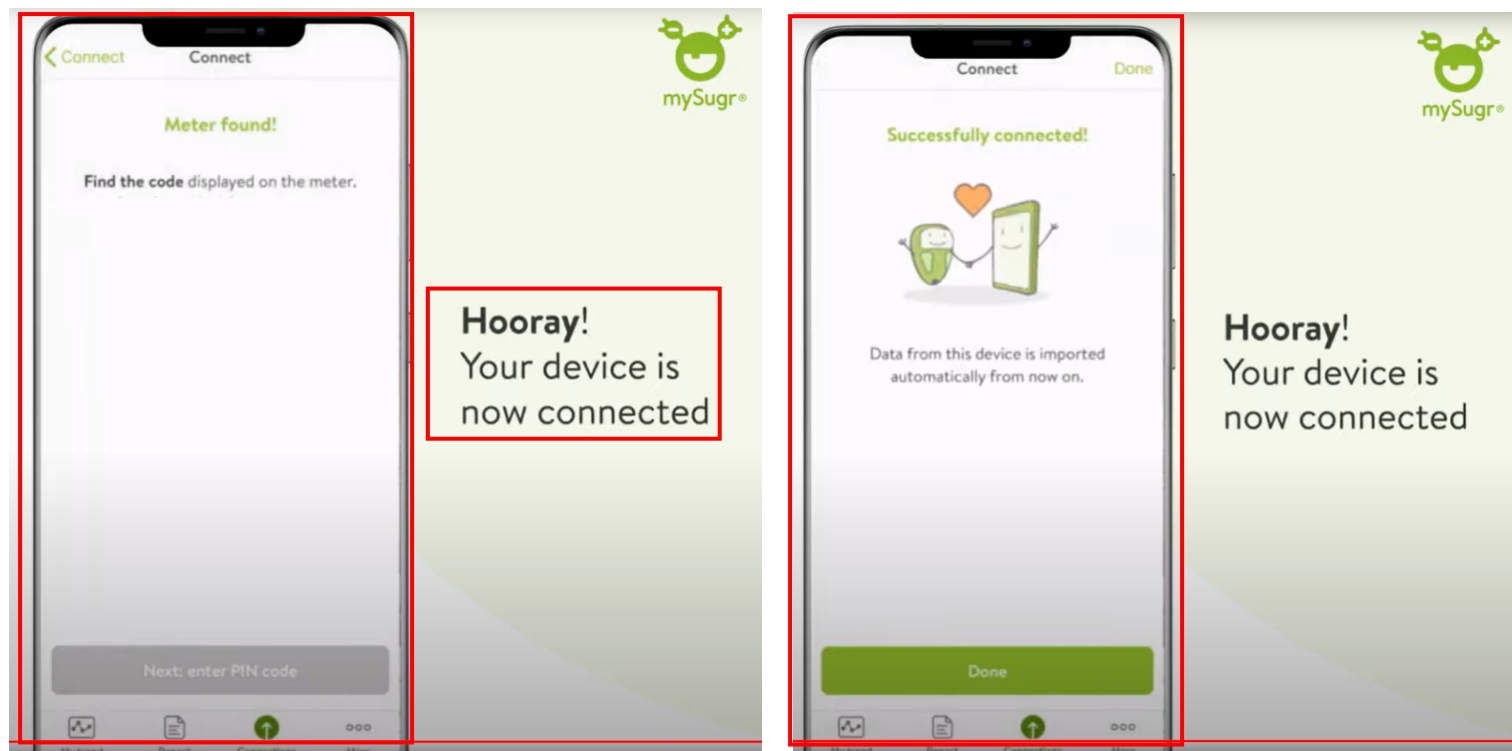
Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:19, 0:25

Exhibit 3 to the Complaint.



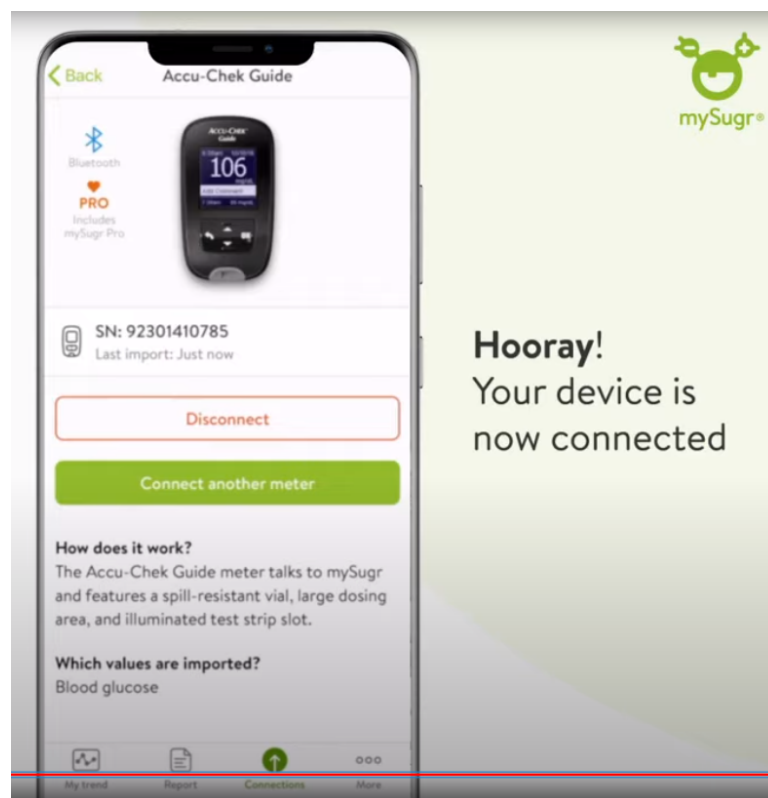
Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:26, 0:29

Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:38, 0:40

Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[1.6] said communication link being initiated by said at least one media terminal,

Company makes, uses, sells and/or offers to sell said communication link being initiated by said at least one media terminal.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

Exhibit 3 to the Complaint.

For example, the mySugr app, installed on the smartphone, initiates Bluetooth pairing to establish the communication channel with the Accu-Chek Guide.

How can I transfer Accu-Chek meter data to mySugr? ^

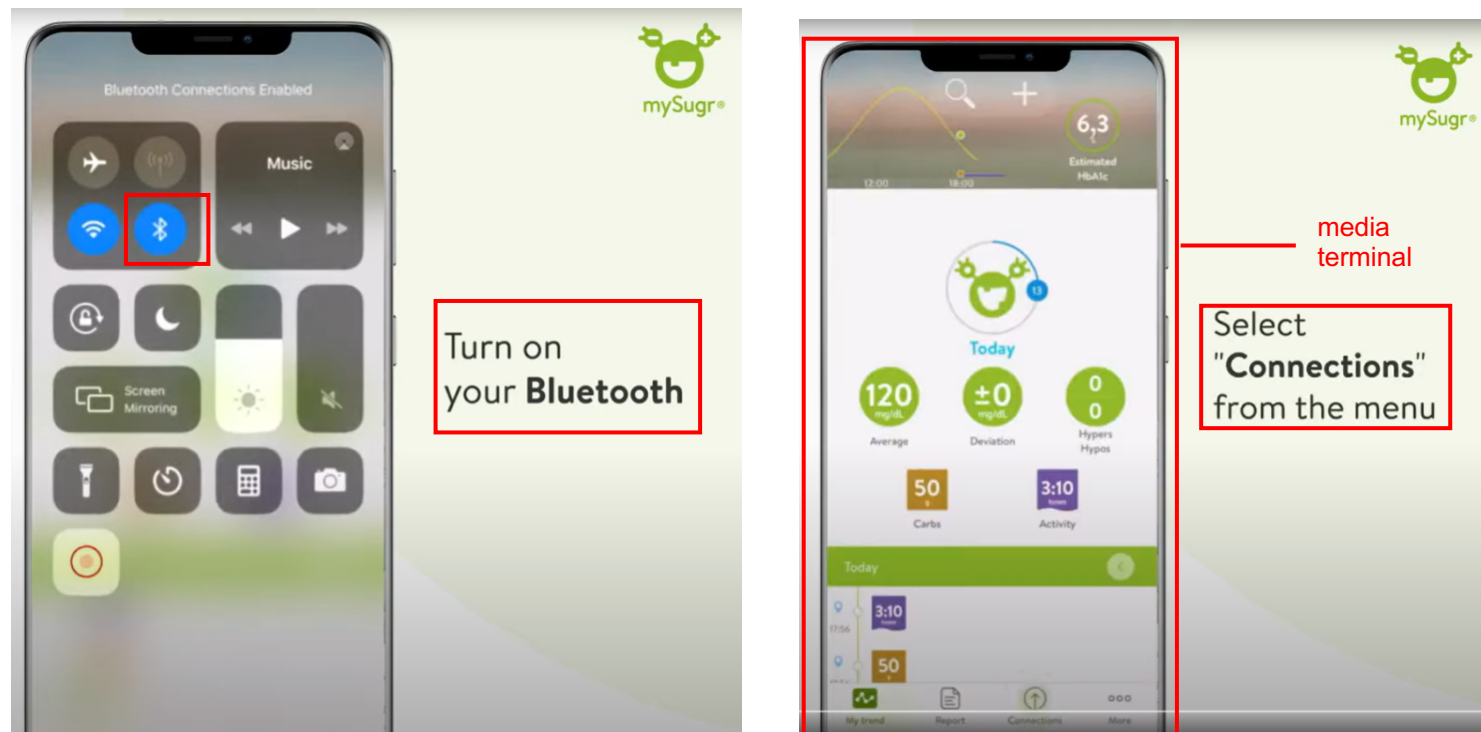
Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.
 - a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.
2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

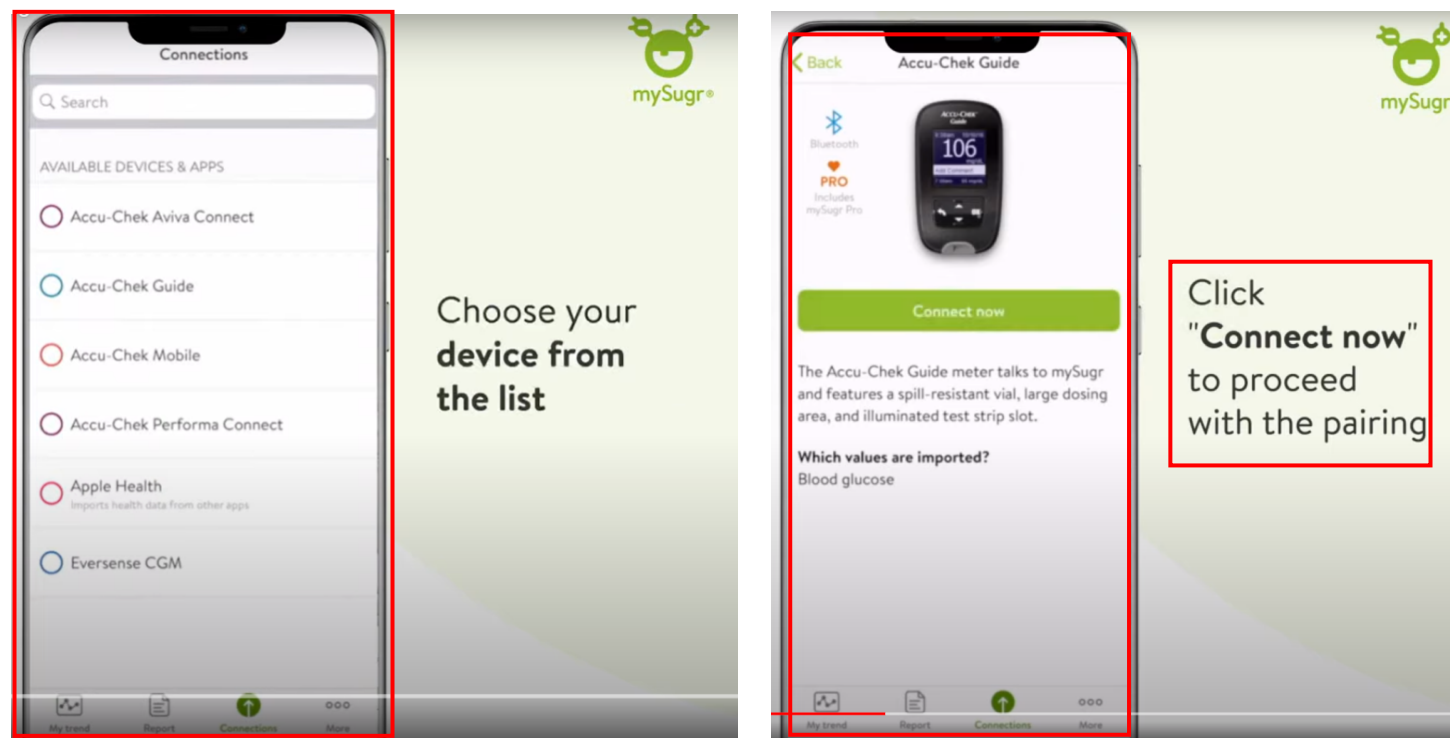
Source: <https://www.accu-chek.com/support/products/guide>

Exhibit 3 to the Complaint.



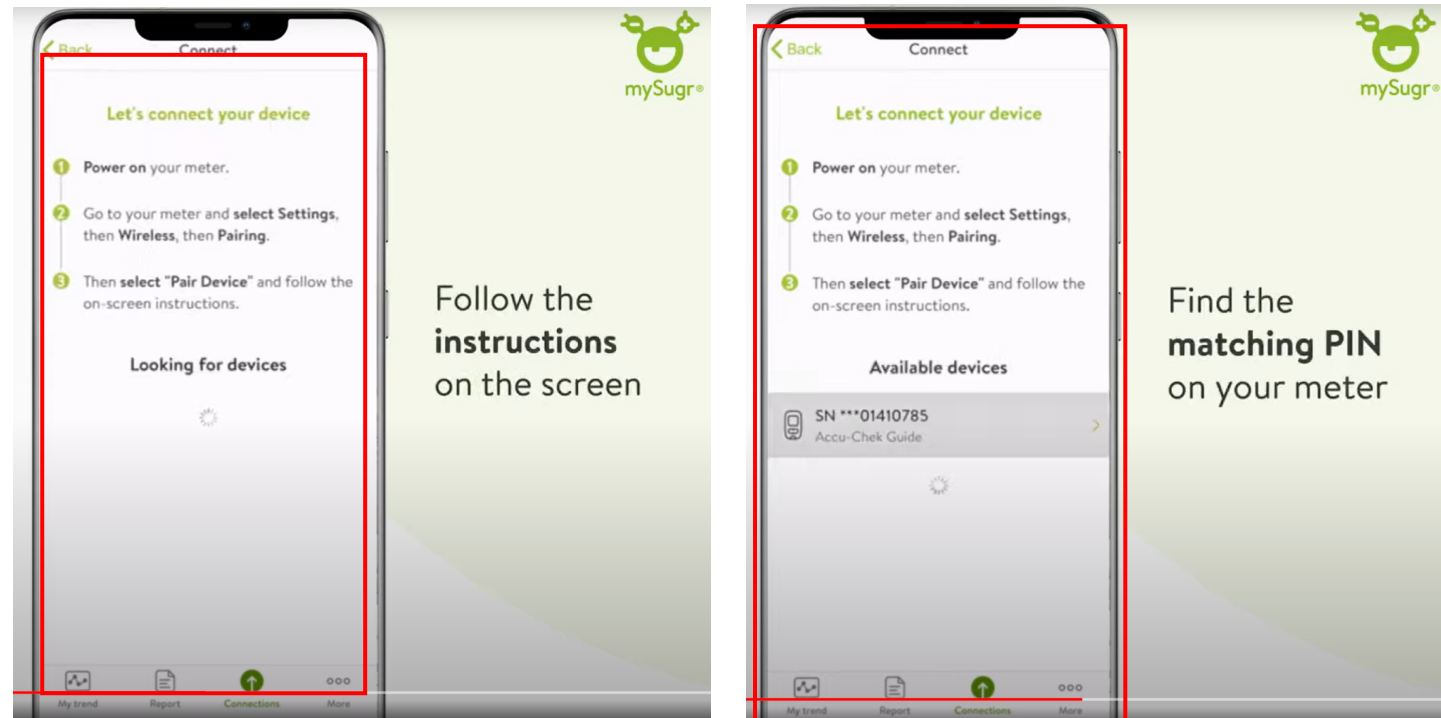
Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09 (annotated)

Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:12, 0:17

Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:19, 0:25

Exhibit 3 to the Complaint.

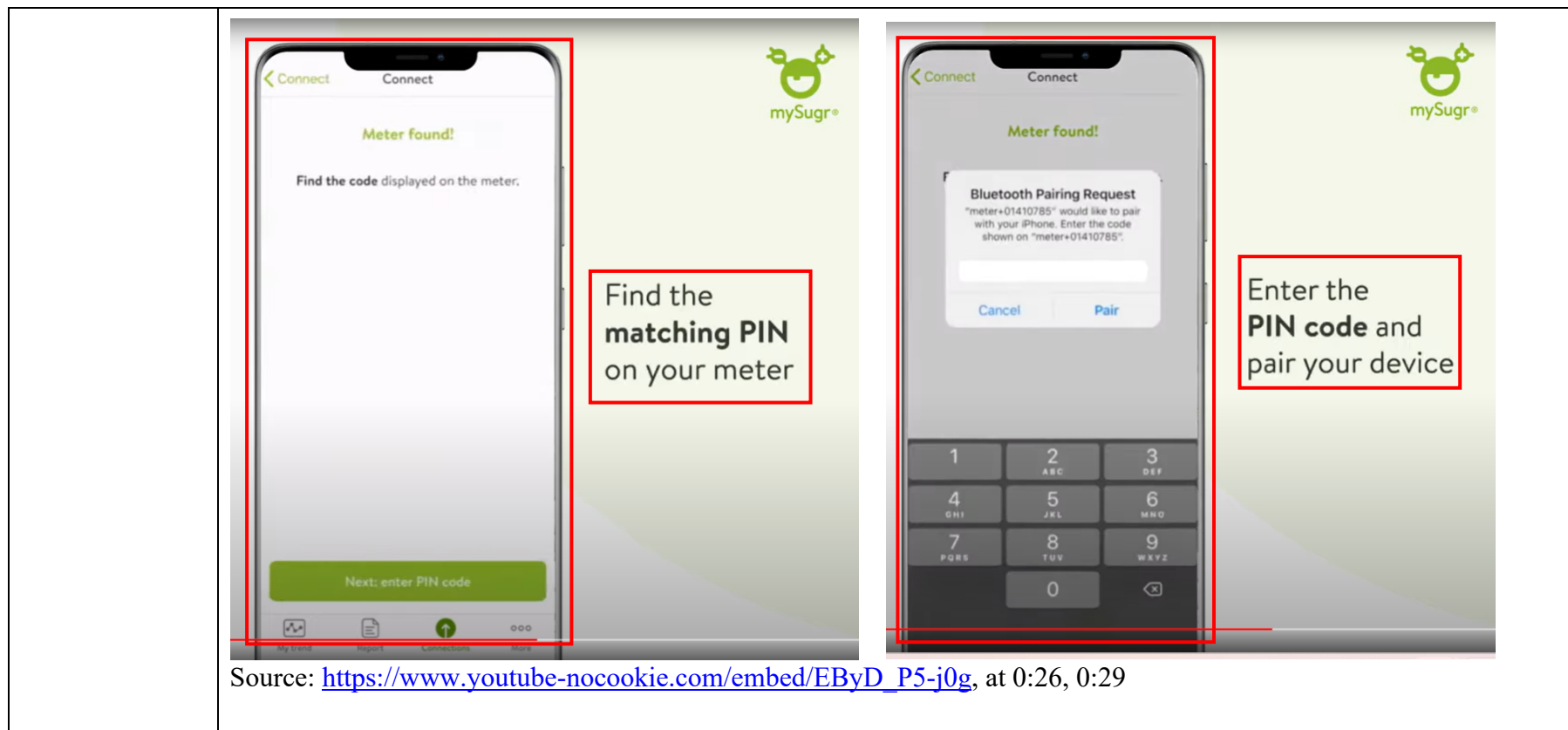
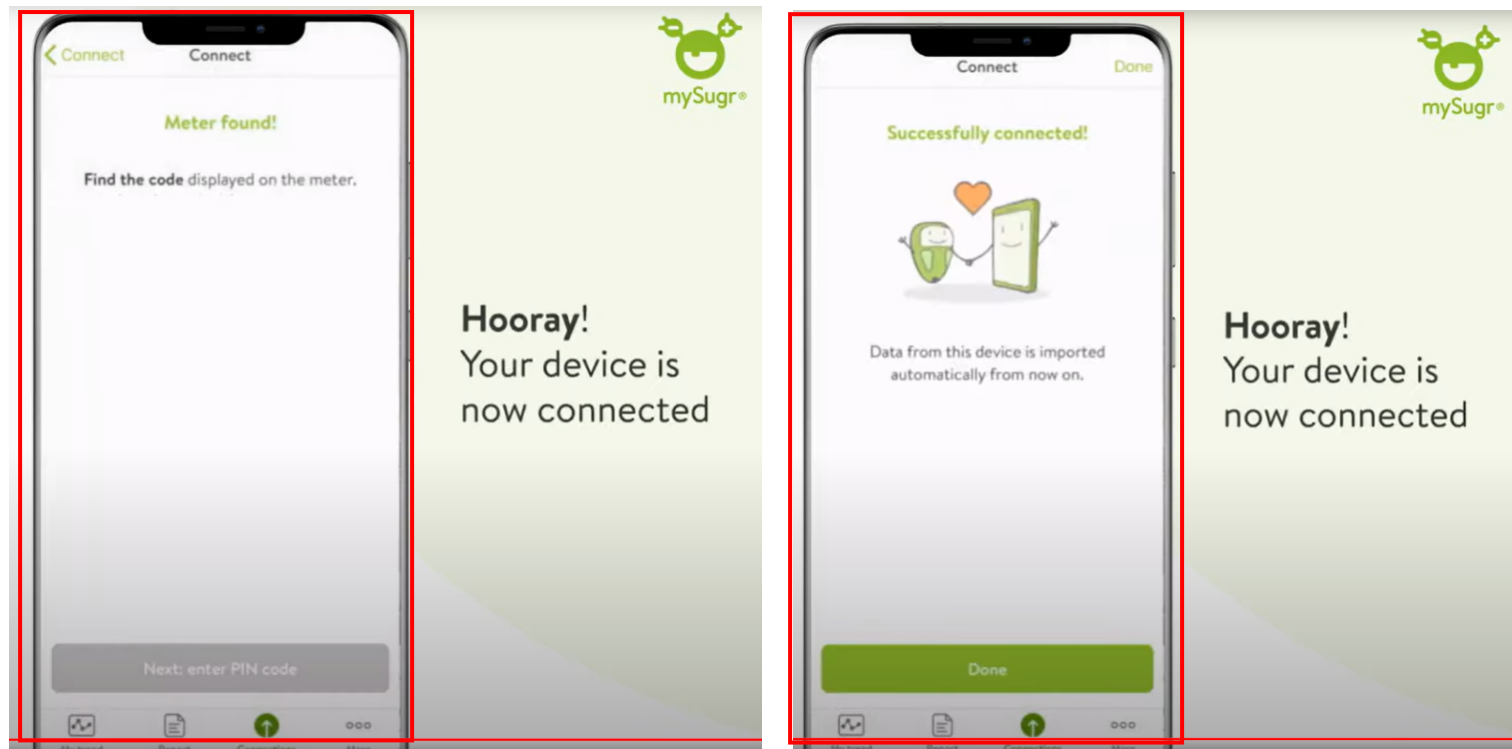
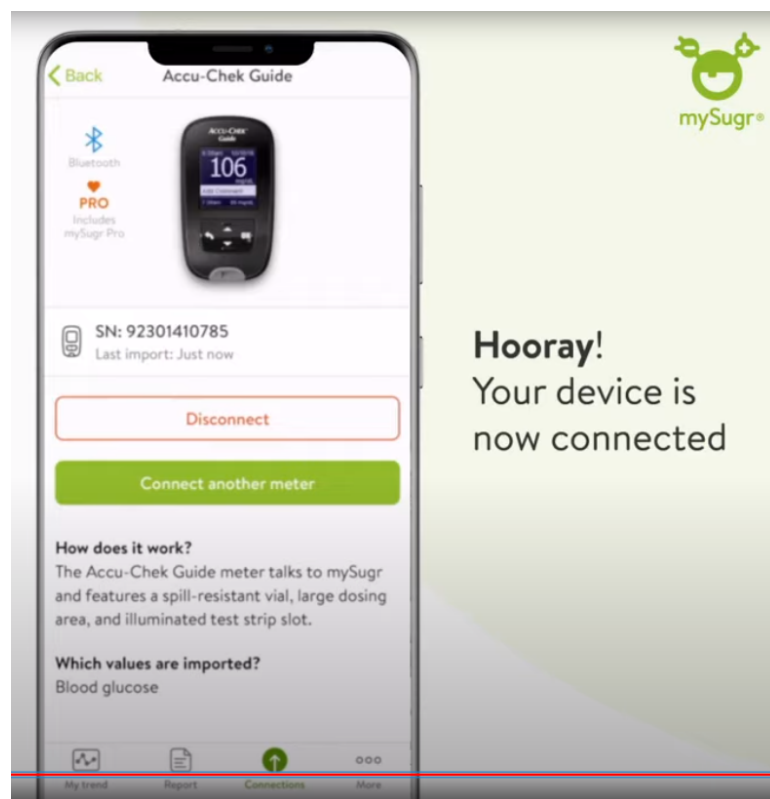


Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:38, 0:40

Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[1.7] said at least one media node and said at least one media terminal being structured to

Defendant makes, uses, sells and/or offers to sell said at least one media node and said at least one media terminal being structured to transmit said at least one digital media file therebetween via said communication link.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

Exhibit 3 to the Complaint.

transmit said at least one digital media file therebetween via said communication link, and	<p>For example, after establishing a Bluetooth channel (“communication link”) between the mySugr app installed on the user’s smartphone and the Accu-Chek Guide, the Accu-Chek Guide (“media node”) sends (“structured to transmit”) the measured blood sugar levels (“at least one digital media file”) to the mySugr app installed on the user’s smartphone (“media terminal”).</p> <div><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</u></p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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Exhibit 3 to the Complaint.

Bluetooth Wireless Technology – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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Exhibit 3 to the Complaint.

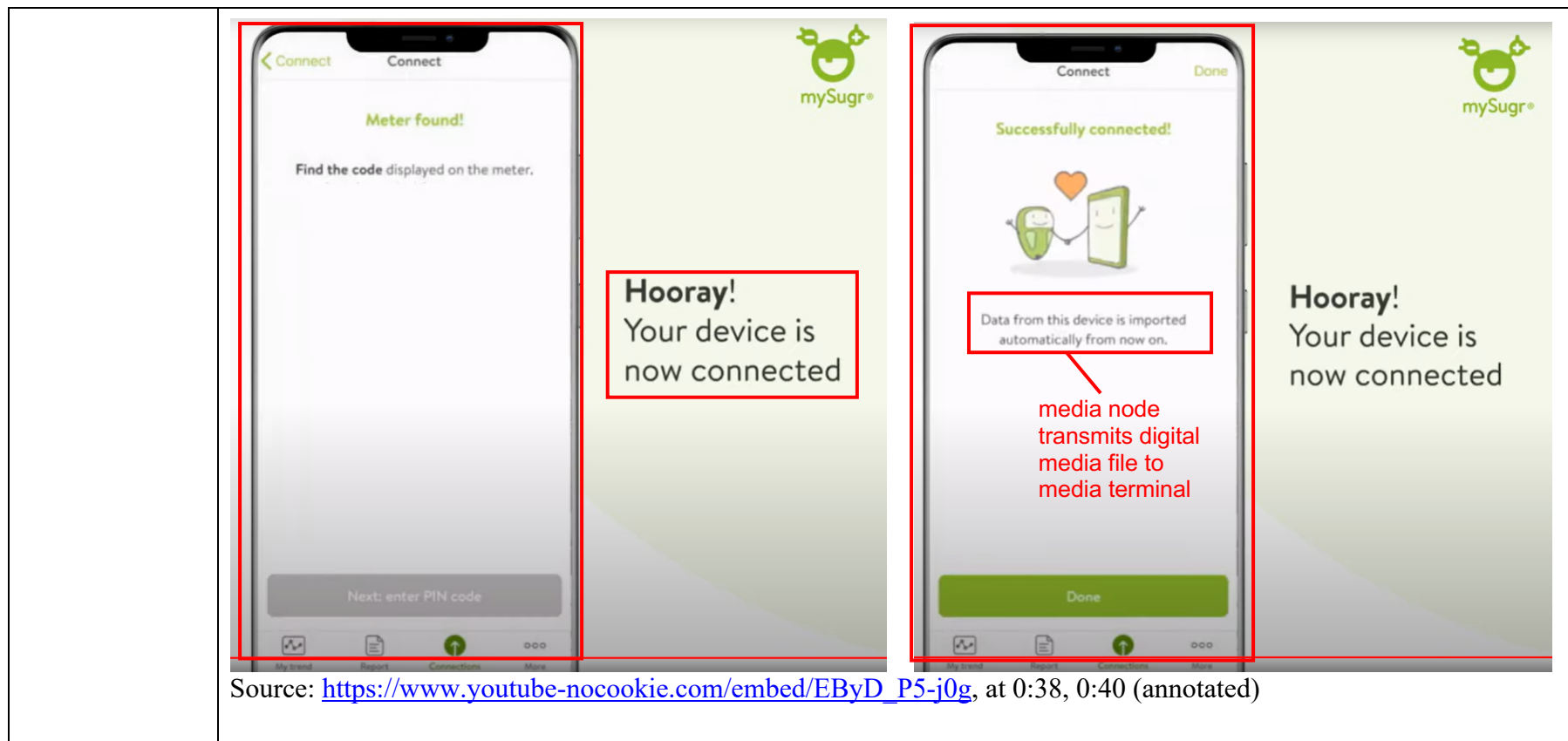


Exhibit 3 to the Complaint.

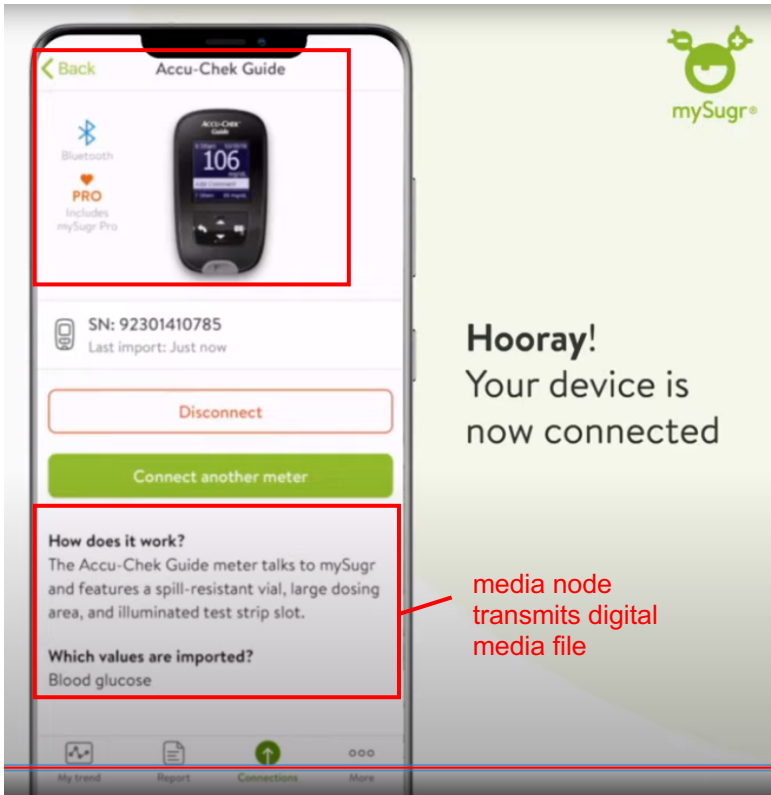
	 <p>media node transmits digital media file</p> <p>Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:43 (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.8] said communication link is structured to bypass at least one</p>	<p>Company makes, uses, sells and/or offers to sell said said communication link is structured to bypass at least one media terminal security measure.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

<p>media terminal security measure.</p>	<p>The Accu-Chek Guide meter and the mySugr app do not require users to input a PIN (“security measure”) every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN (“bypass at least one media terminal security measure”). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypasses the security measure.</p> <div data-bbox="445 527 1396 849"><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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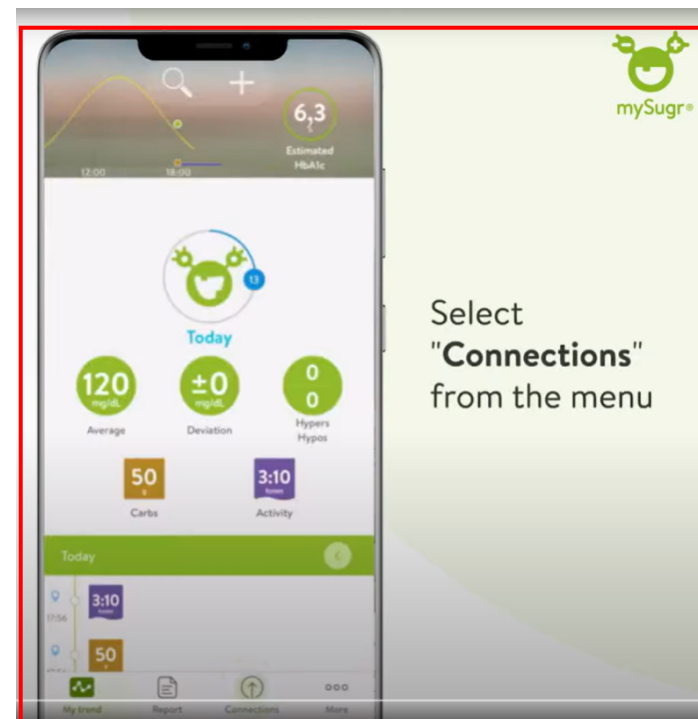
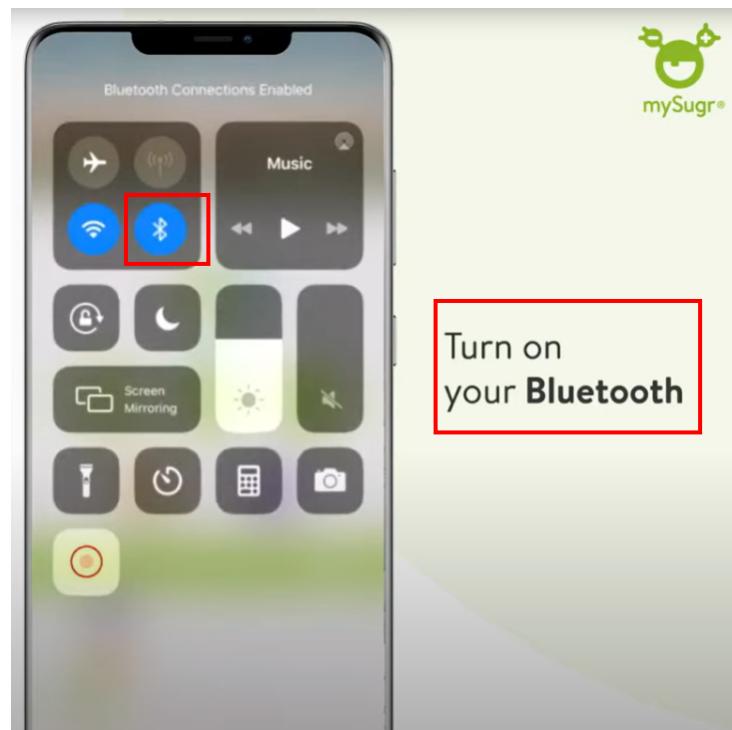
1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.

	<p>How can I transfer Accu-Chek meter data to mySugr? ^</p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09

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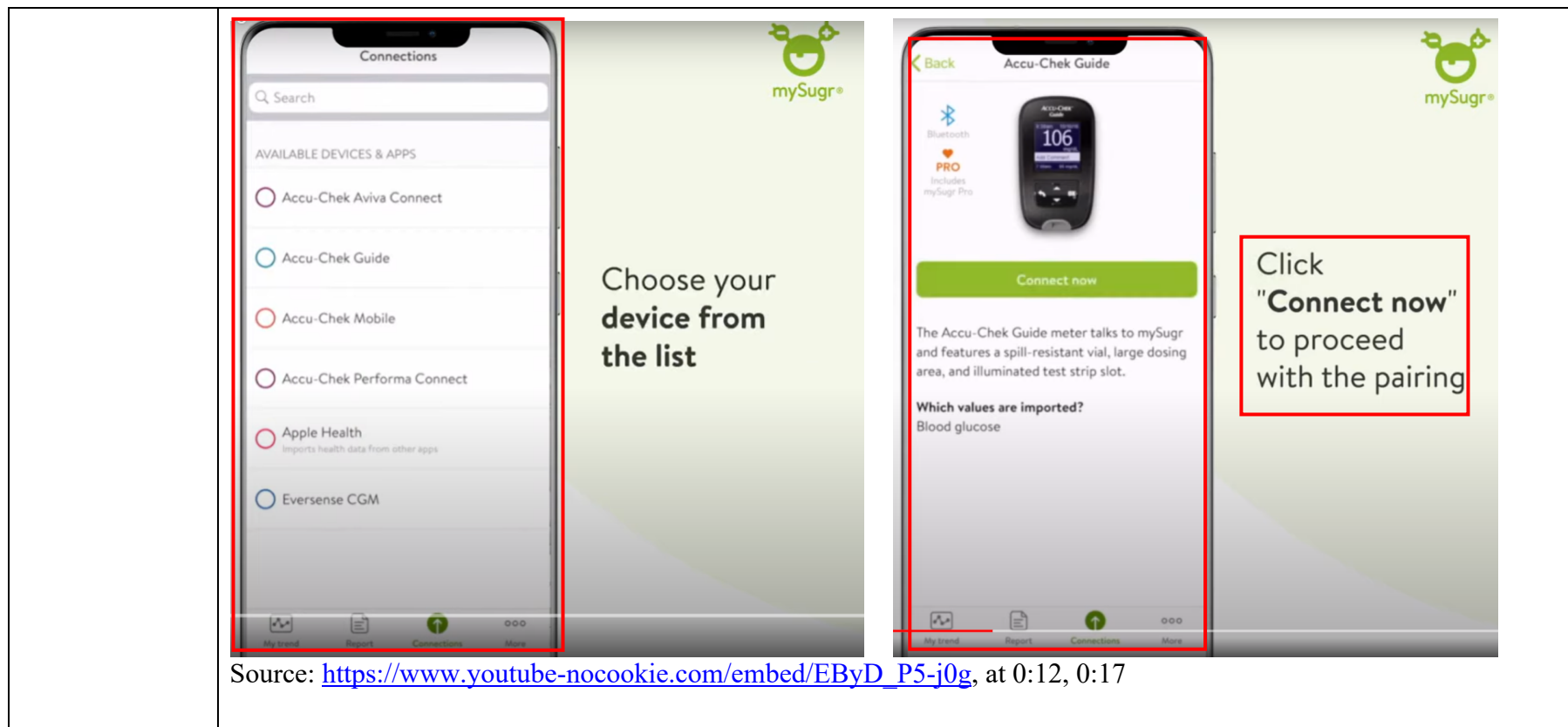
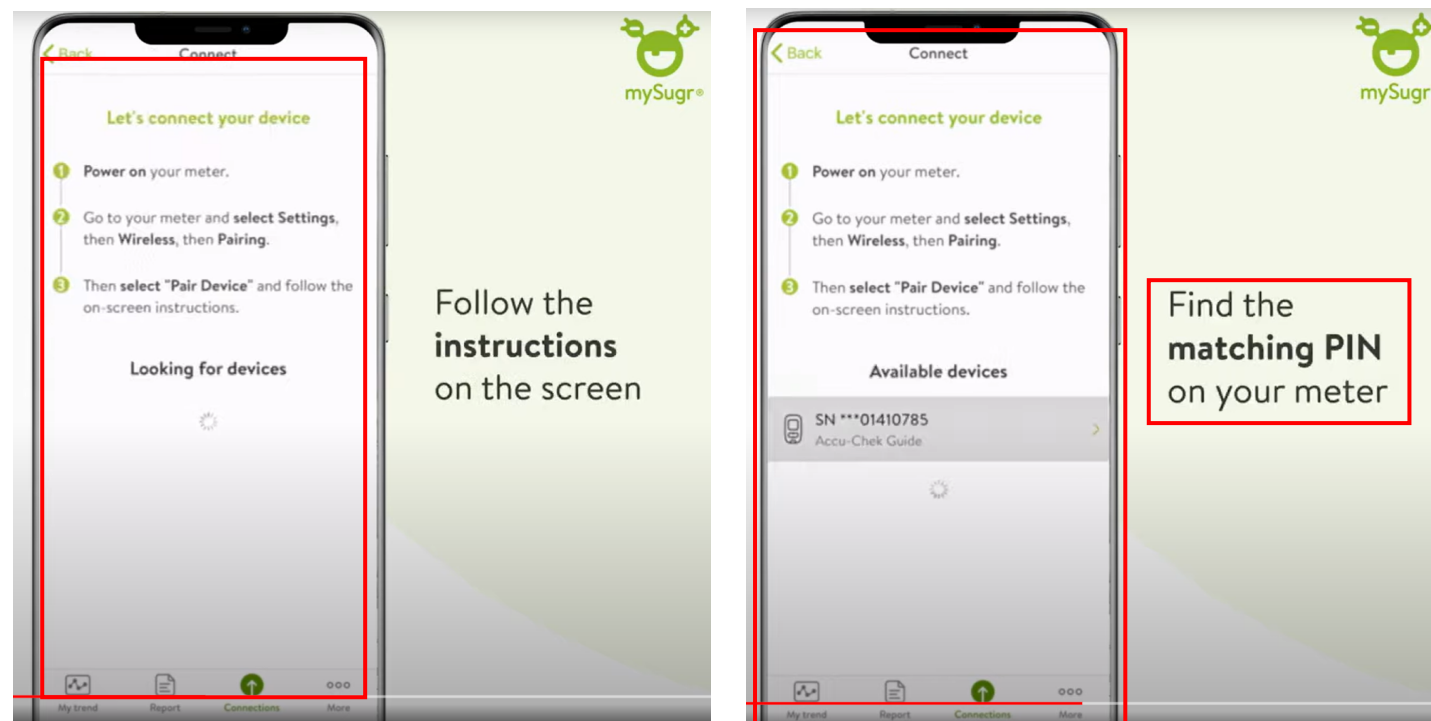


Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:19, 0:25

Exhibit 3 to the Complaint.

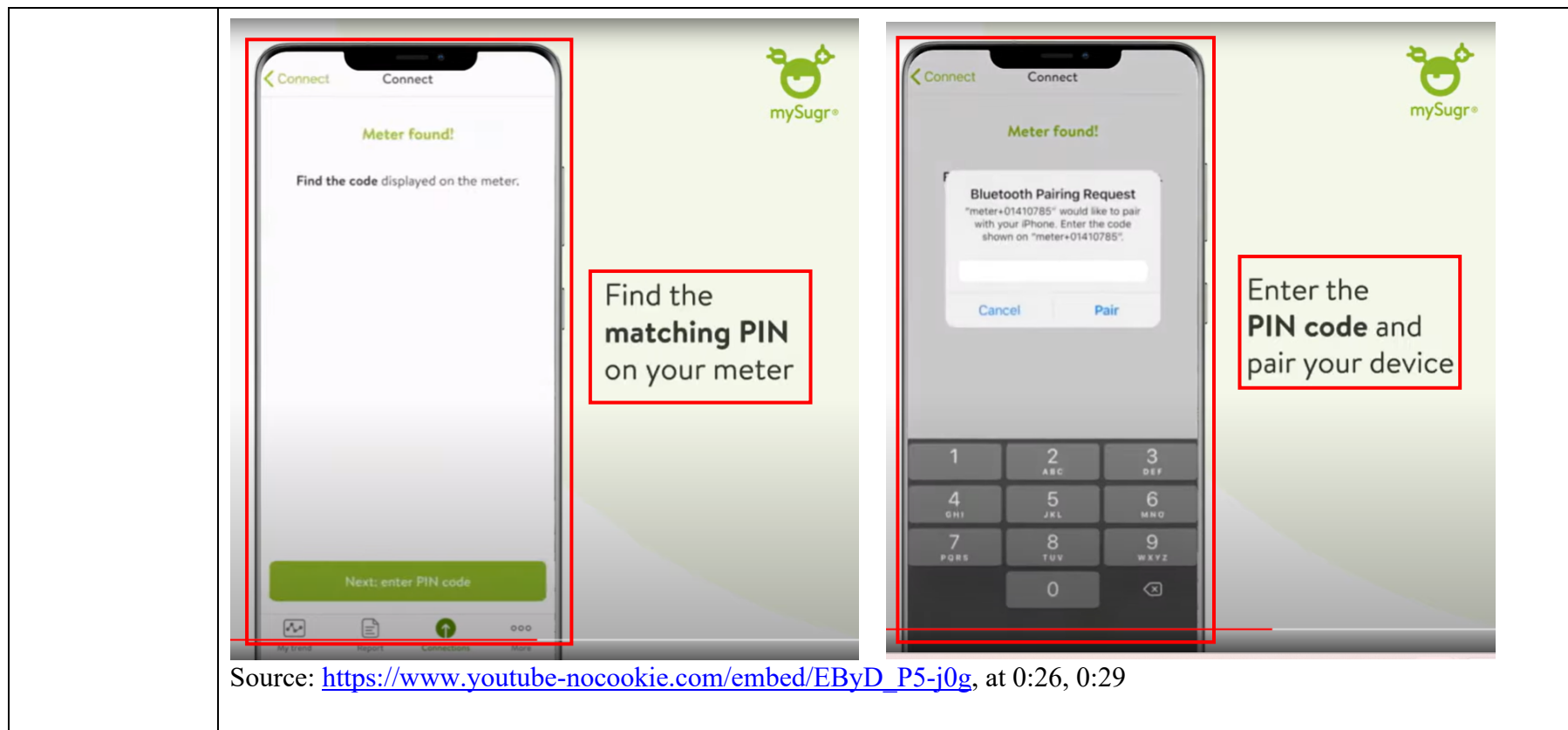


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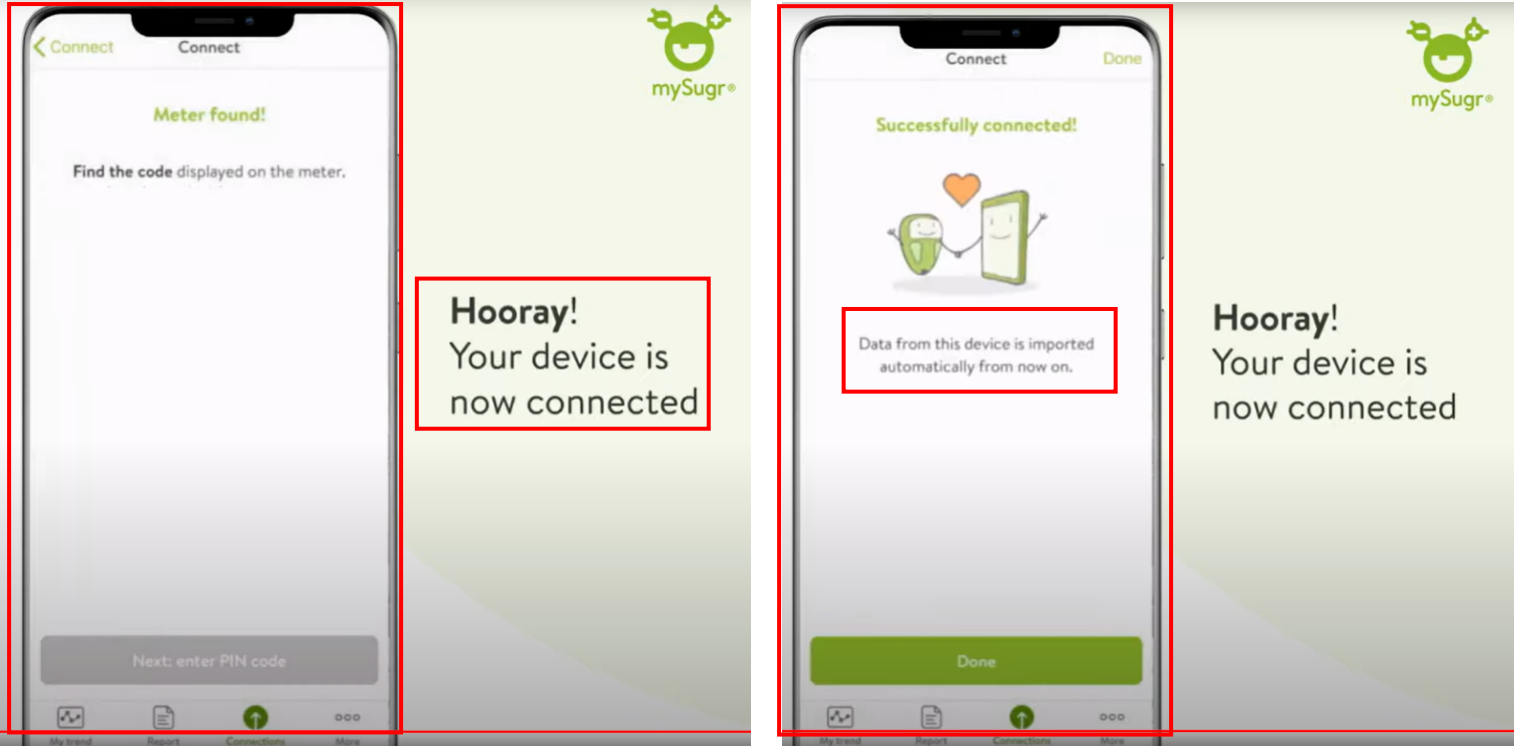
	 <p>Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:38, 0:40</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Defendant.</p>
<p>[2] The digital media communication protocol recited in claim 1 wherein</p>	<p>Company makes, uses, sells and/or offers to sell said digital media file is initially disposed on said at least one media node.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

<p>said digital media file is initially disposed on said at least one media node.</p>	<p>For example, the Accu-Chek Guide meter (“media node”) measures the blood sugar levels (“digital media file”). These measured blood sugar levels are saved in the Accu-Chek Guide meter (“digital media file is initially disposed on said at least one media node”).</p> <p>The Accu-Chek Guide System</p> <p>The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.</p> <p>The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.</p> <p>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70</p>
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Exhibit 3 to the Complaint.

	<p>5 mySugr Connectivity Take the stress out of diabetes management by pairing your <u>Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p> <p>Source: https://www.accu-chek.com/products/meters/guide</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[3] The digital media communication protocol recited in claim 2 wherein said at least one media terminal is structured to display said at least one digital media file.</p>	<p>Company makes, uses, sells and/or offers to sell said at least one media terminal is structured to display said at least one digital media file.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the mySugr app displays the measured blood sugar levels (“digital media file”).</p> <p>5 mySugr Connectivity Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p> <p>Source: https://www.accu-chek.com/products/meters/guide</p>

Exhibit 3 to the Complaint.

Bluetooth Wireless Technology – The

meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at

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1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


	<div><h3>How can I transfer Accu-Chek meter data to mySugr? </h3><p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p><p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p><ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<p>Source: https://www.accu-chek.com/support/products/guide</p></div>
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Exhibit 3 to the Complaint.

2 mySugr Analytics

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

Source: <https://www.accu-chek.com/products/mysugr>

Connecting your devices & services

At mySugr, we're of the humble opinion that paper is for origami, not for logbooks.

That's why when you connect your diabetes device with mySugr, your connected meter will automatically log your blood sugar readings into the app. No need to bother flicking through pages anymore! Everything's available in a few taps in the app.

Connection Brings Freedom!

- Automatic data importing saves tons of time
- Connect your blood glucose meter and avoid manual logging errors
- Connect your Google Fit® or Apple Health® tracker to easily track fitness data
- Enjoy extra time in your days thanks to the Pairing feature

Source: <https://www.mysugr.com/en-us/diabetes-app/>

Exhibit 3 to the Complaint.

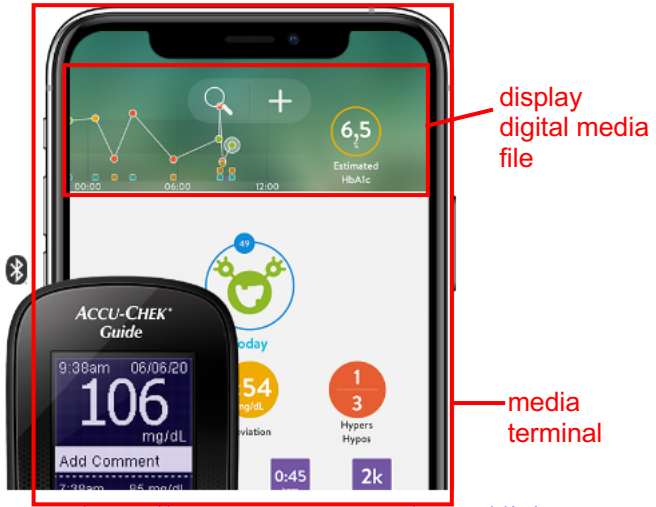
	 <p>Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[11] The digital media communication protocol recited in claim 1 wherein said at least one media node includes a portable device.</p>	<p>Company makes, uses, sells and/or offers to sell said at least one media node includes a portable device.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide (“media node”), is a portable blood glucose meter designed to measure blood sugar levels.</p>

Exhibit 3 to the Complaint.

1 Personalized logging screen

Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

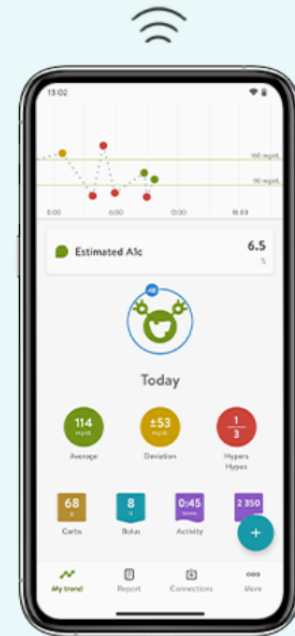
2 mySugr Analytics

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

3 Data Reports & Sharing

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.

media node



Source: <https://www.accu-chek.com/products/mysugr> (annotated)

Exhibit 3 to the Complaint.

	<p>The Accu-Chek Guide System</p> <p>The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.</p> <p><i>media node</i></p> <p>The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.</p> <p>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70 (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[13] The digital media communication protocol recited in claim 1 wherein said communication</p>	<p>Company makes, uses, sells and/or offers to sell said communication link is structured to bypass at least one networking device security measure.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN (“security measure”) every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN (“at least one networking device security</p>

Exhibit 3 to the Complaint.

link is structured to bypass at least one networking device security measure.	<p>measure”). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypasses the security measure.</p> <div><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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Exhibit 3 to the Complaint.

Bluetooth Wireless Technology – The

meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at

2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

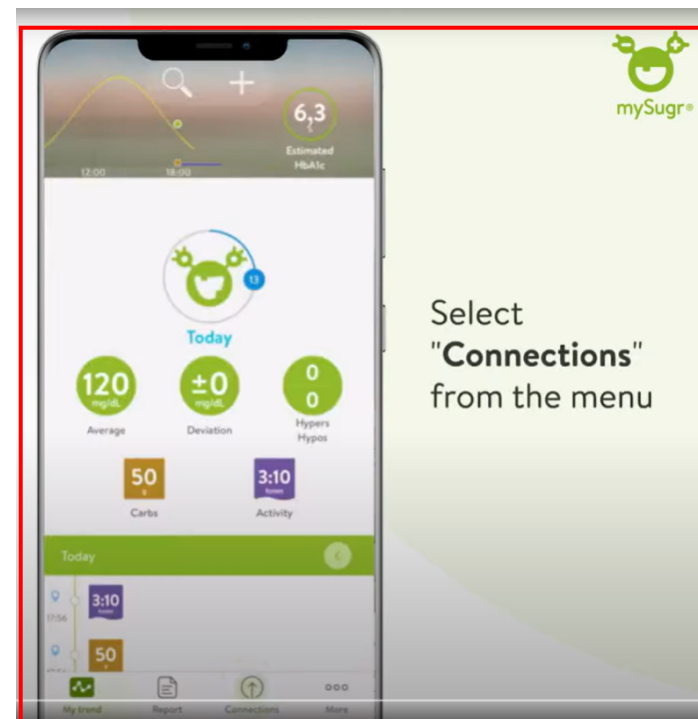
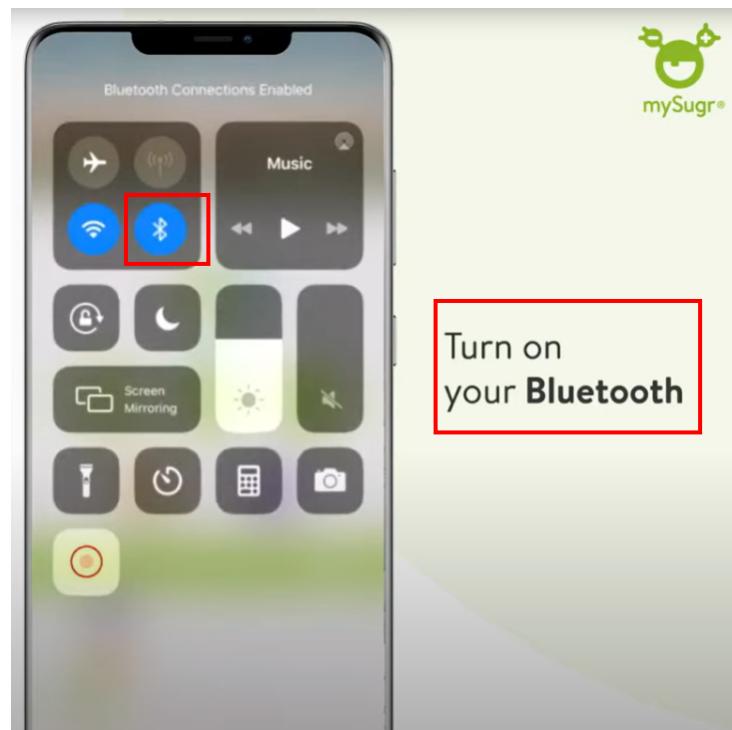
1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

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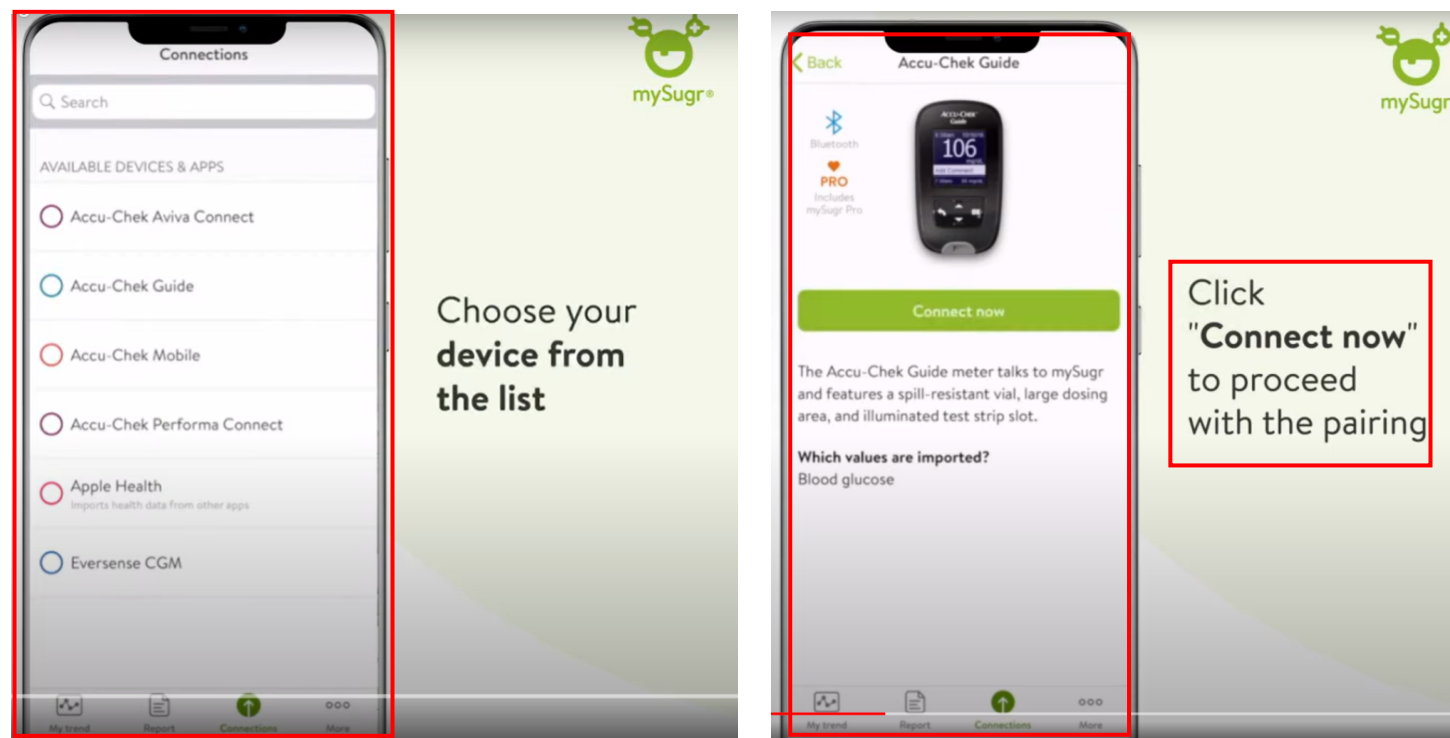
	<p>How can I transfer Accu-Chek meter data to mySugr? ^</p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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Exhibit 3 to the Complaint.



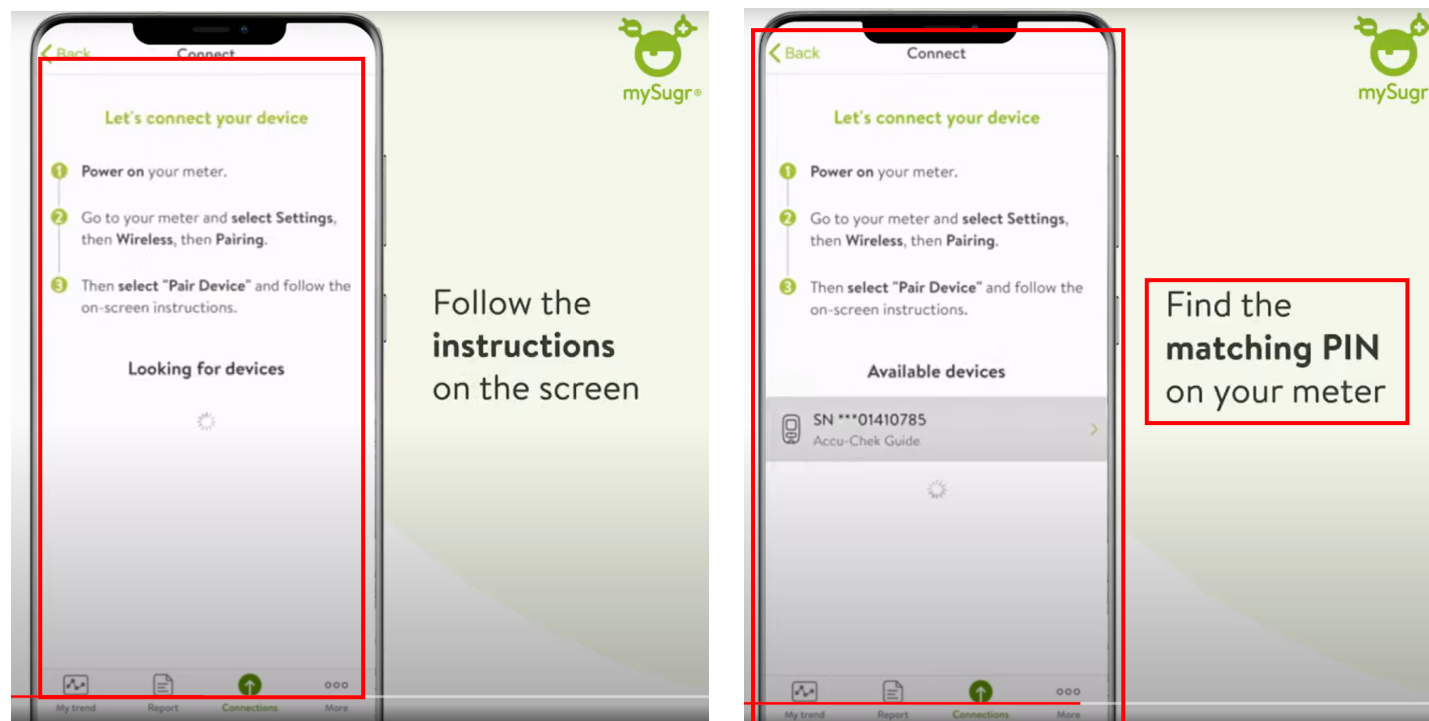
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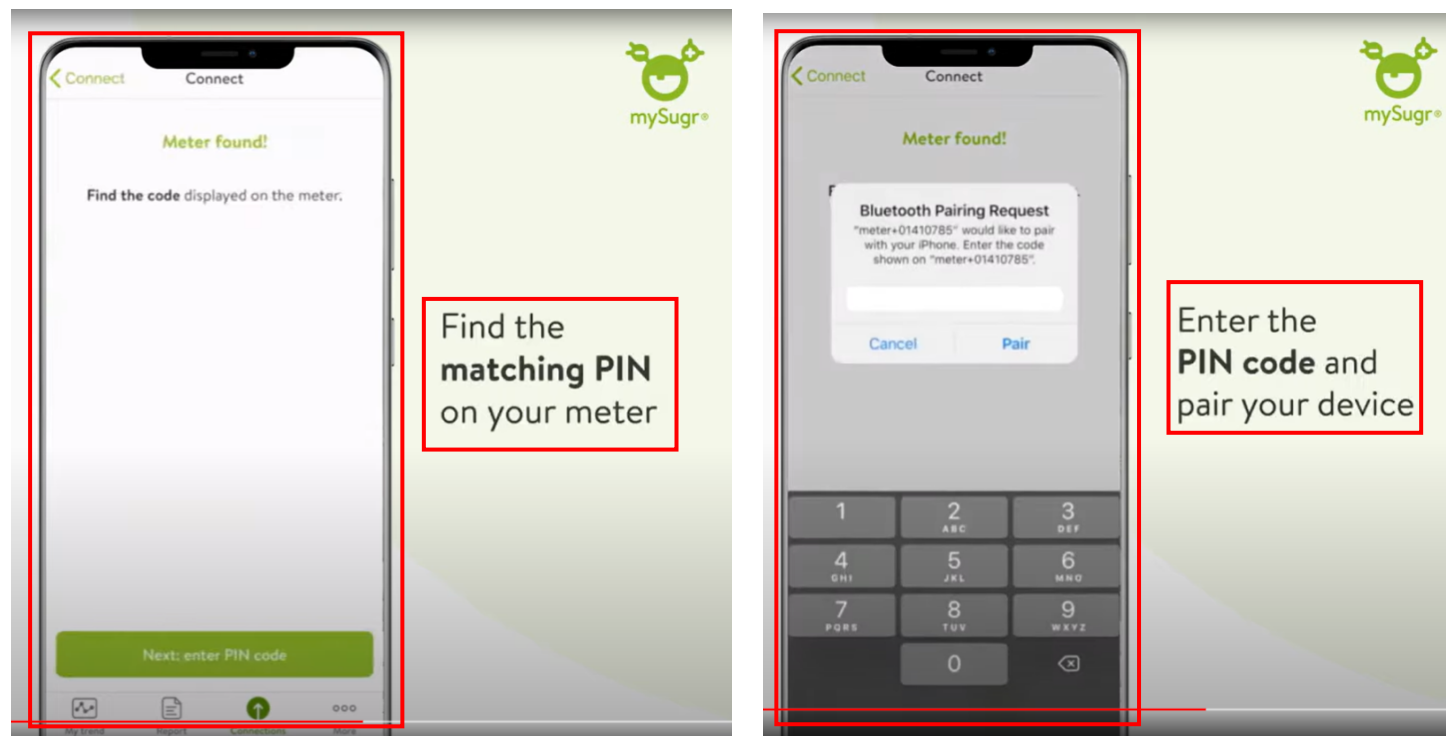
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Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:19, 0:25

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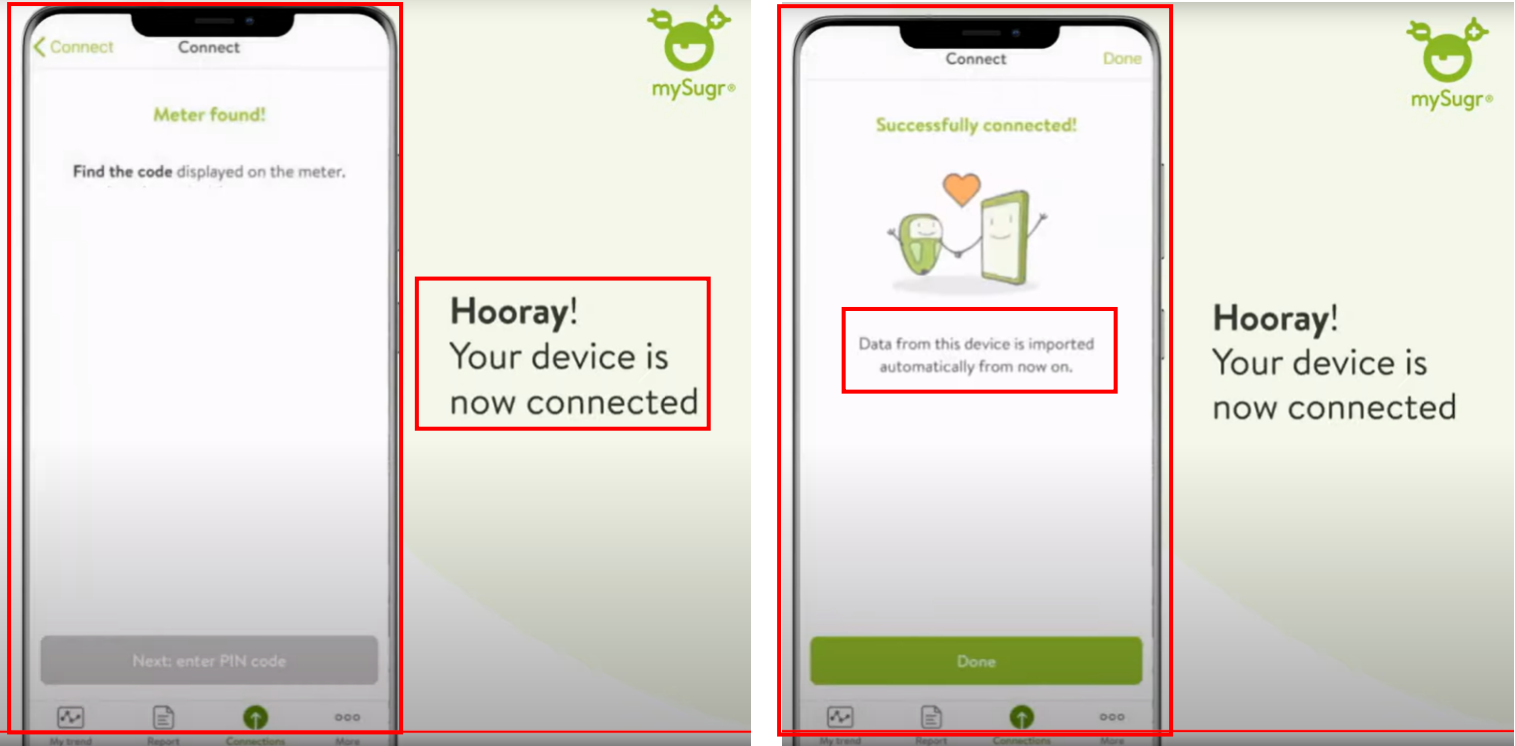
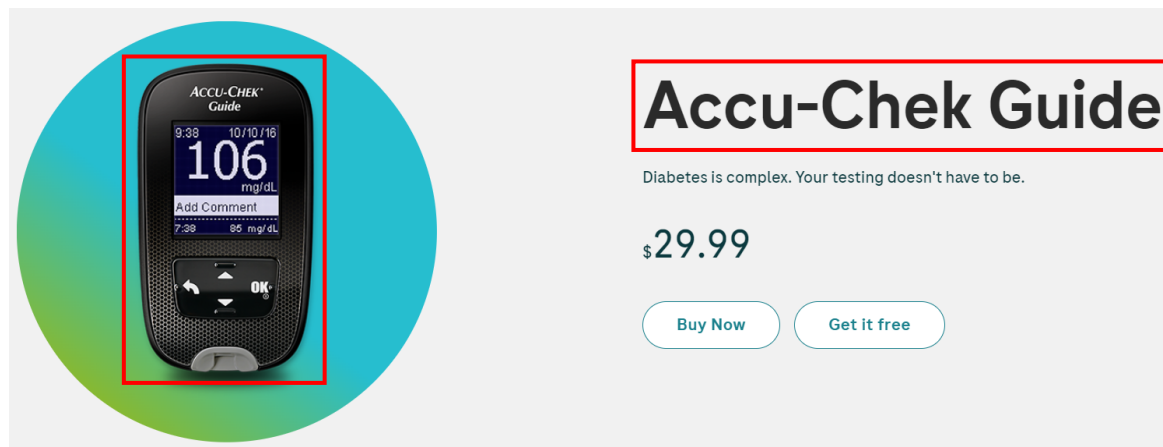
	 <p>Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:38, 0:40</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Defendant.</p>
<p>[17.P] A digital media communication protocol, comprising</p>	<p>Roche Diagnostics Corporation (“Company”) makes, uses, sells and/or offers to sell a digital media communication protocol.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

For example, Company provides Accu-Chek Guide, a blood glucose meter designed to measure blood sugar levels. It transmits the measured blood sugar levels to a mySugr app, installed on the user's smartphone, using Bluetooth wireless technology ("digital media communication protocol").



Source: <https://www.accu-chek.com/products/meters/guide>

5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

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Bluetooth Wireless Technology – The

meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at

2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant .</p>
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Exhibit 3 to the Complaint.

[17.1] at least one media terminal and at least one media node disposed in an accessible relation with at least one interactive computer network,

Company makes, uses, sells and/or offers to sell at least one media terminal and at least one media node disposed in an accessible relation with at least one interactive computer network.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, the Accu-Chek Guide ("media node") transmits the blood sugar levels to the mySugr app, installed on the user's smartphone ("media terminal"), using Bluetooth network ("interactive computer network"). Since, both devices communicate and send data using Bluetooth, it is apparent for a person having ordinary skills in the art that, both devices are disposed in an accessible relation with the Bluetooth network.

1 Personalized logging screen

Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

2 mySugr Analytics

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

3 Data Reports & Sharing

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.



Source: <https://www.accu-chek.com/products/mysugr> (annotated)

Exhibit 3 to the Complaint.

5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

Bluetooth Wireless Technology – The

meter uses *Bluetooth®* low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at

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inter
active
computer
network

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70 (annotated)

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CONNECT THE ACCU-CHEK GUIDE METER TO THE MYSUGR APP

1



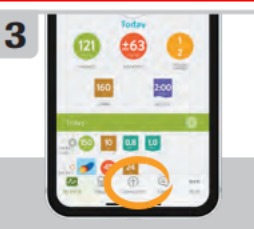
Using your smartphone, **download the mySugr app** from the App Store or Google Play and **create your mySugr account**.

2



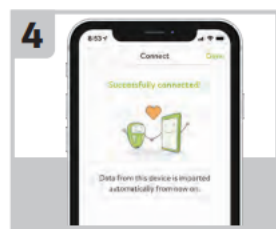
Turn on **Bluetooth®** wireless technology on your smartphone (if it's not on already).

3



Open the mySugr app, and select **Connections** on the menu. Select **Accu-Chek Guide**, and then **Connect now**. Follow the step-by-step directions for pairing.

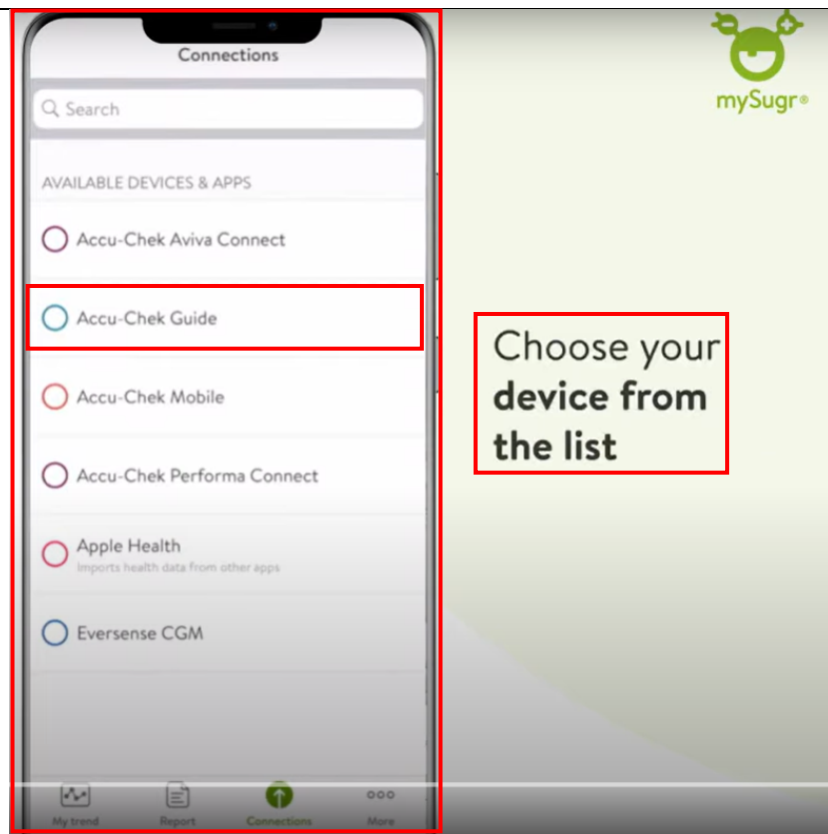
4



After your meter is successfully connected to the mySugr app, **data from your device is imported** automatically. Now you can easily keep your diabetes data under control!

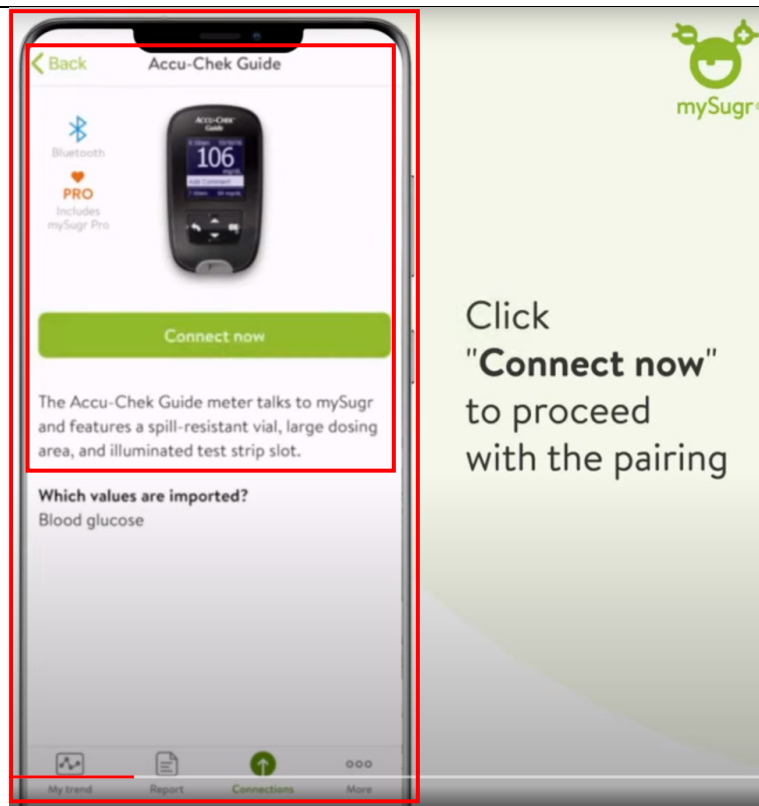
Source: <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download>, Page 1 of 2

Exhibit 3 to the Complaint.



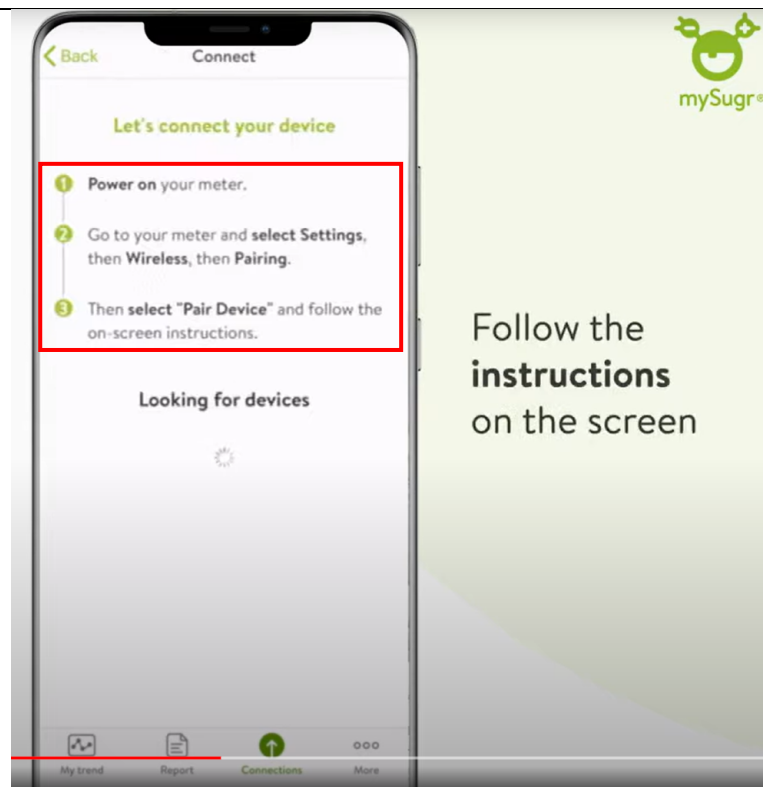
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	<p>How can I transfer Accu-Chek meter data to mySugr? ^</p> <p>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none"> 1. If you are using an Apple device, make sure Bluetooth® is turned on. a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process. 2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.) 3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen. 4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it. 5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device. 6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[17.2] at least one digital media file initially</p>	<p>Company makes, uses, sells and/or offers to sell at least one digital media file initially disposed on at least one of said media terminal or said media node, said at least one media terminal structured to detect said at least one media node.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

<p>disposed on at least one of said media terminal or said media node, said at least one media terminal structured to detect said at least one media node,</p>	<p>For example, the Accu-Chek Guide meter measures the blood sugar levels (“digital media file”). These measured blood sugar levels are saved in the Accu-Chek Guide meter (“digital media file initially disposed on at least one of said media terminal or said media node”). The mySugr app installed in the user’s smartphone detects (“at least one media terminal structured to detect said at least one media node”) the Accu-Chek Guide meter through Bluetooth and establishes a connection (gets paired).</p> <p>The Accu-Chek Guide System</p> <p>The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.</p> <p>The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.</p> <p>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70</p>
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Exhibit 3 to the Complaint.

	<div><div>5 mySugr Connectivity</div><div>Take the stress out of diabetes management by pairing your <u>Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</u></div><div>Source: https://www.accu-chek.com/products/meters/guide</div></div>	
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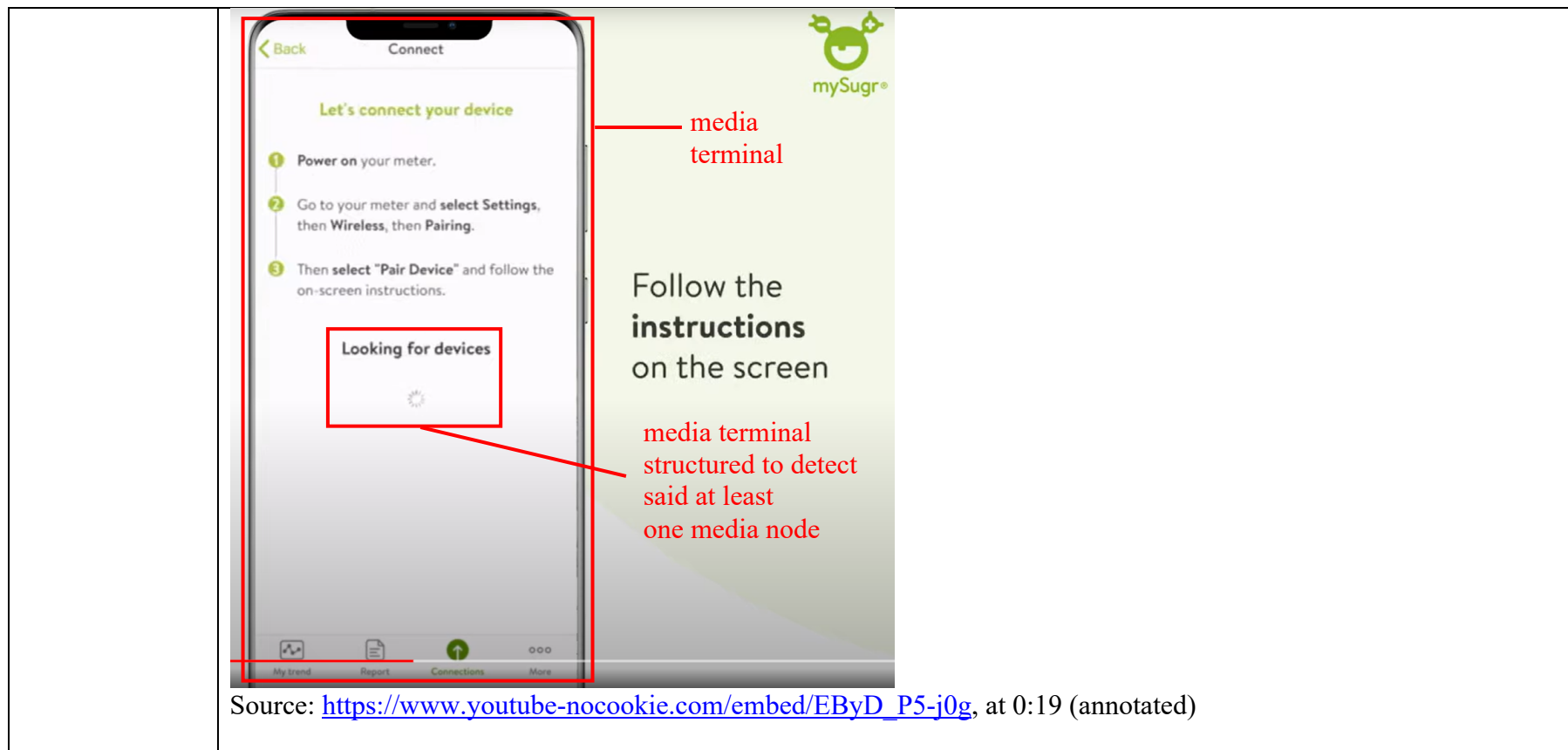


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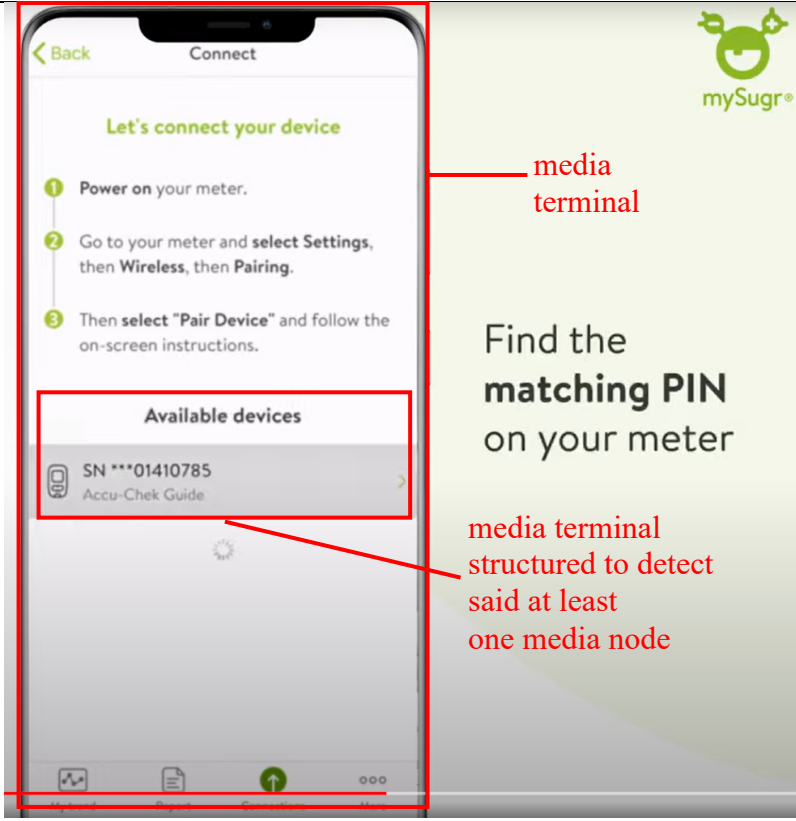
	 <p>media terminal</p> <p>media terminal structured to detect said at least one media node</p> <p>Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:25 (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[17.3] a communication link structured to dispose said at least one</p>	<p>Company makes, uses, sells and/or offers to sell a communication link structured to dispose said at least one media terminal and said at least one media node in a communicative relation with one another via said interactive computer network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

media terminal and said at least one media node in a communicative relation with one another via said interactive computer network,	<p>For example, mySugr app installed on the user’s smartphone and Accu-Chek Guide establishes a connection through Bluetooth pairing. This process creates a Bluetooth channel (“communication link structured to dispose”) between Accu-Chek Guide meter and mySugr app for the transfer of the measured blood sugar levels (“a communicative relation with one another via said interactive computer network”).</p> <div><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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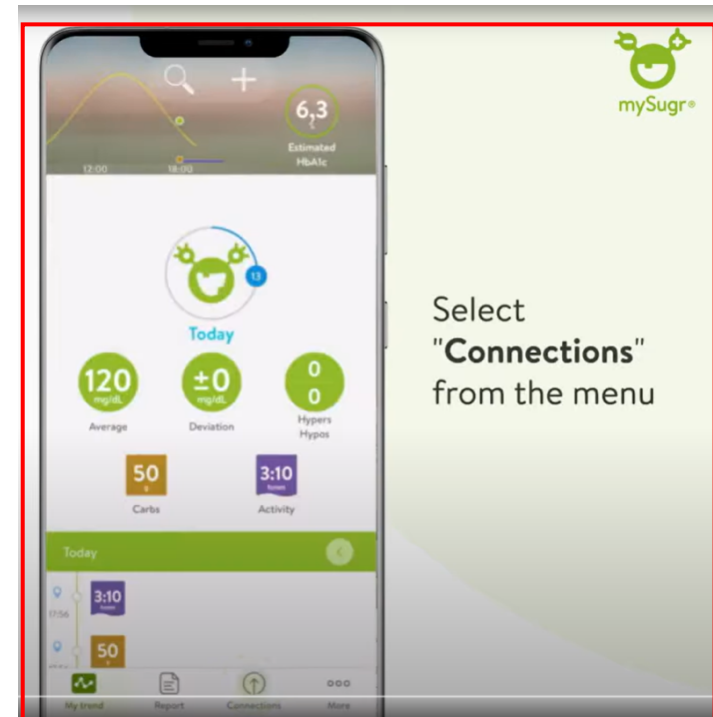
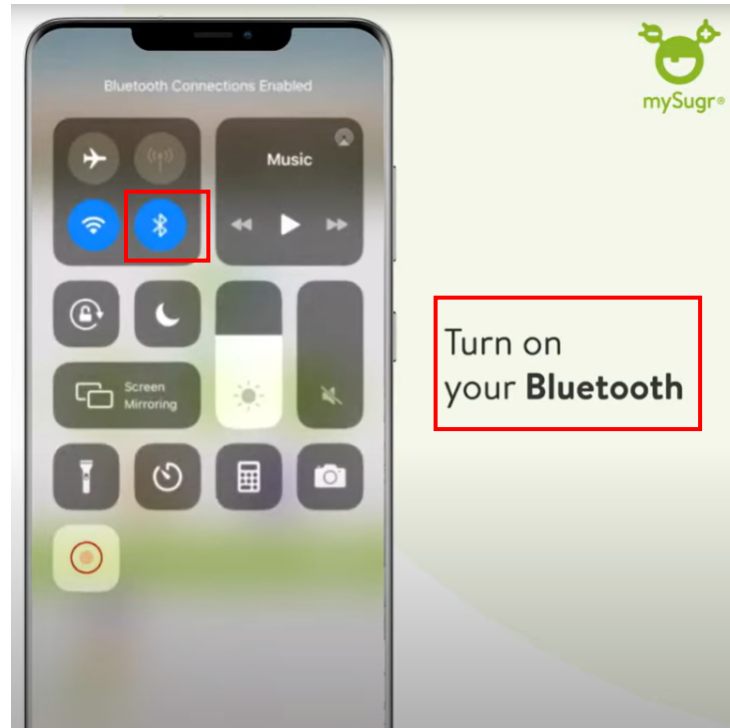
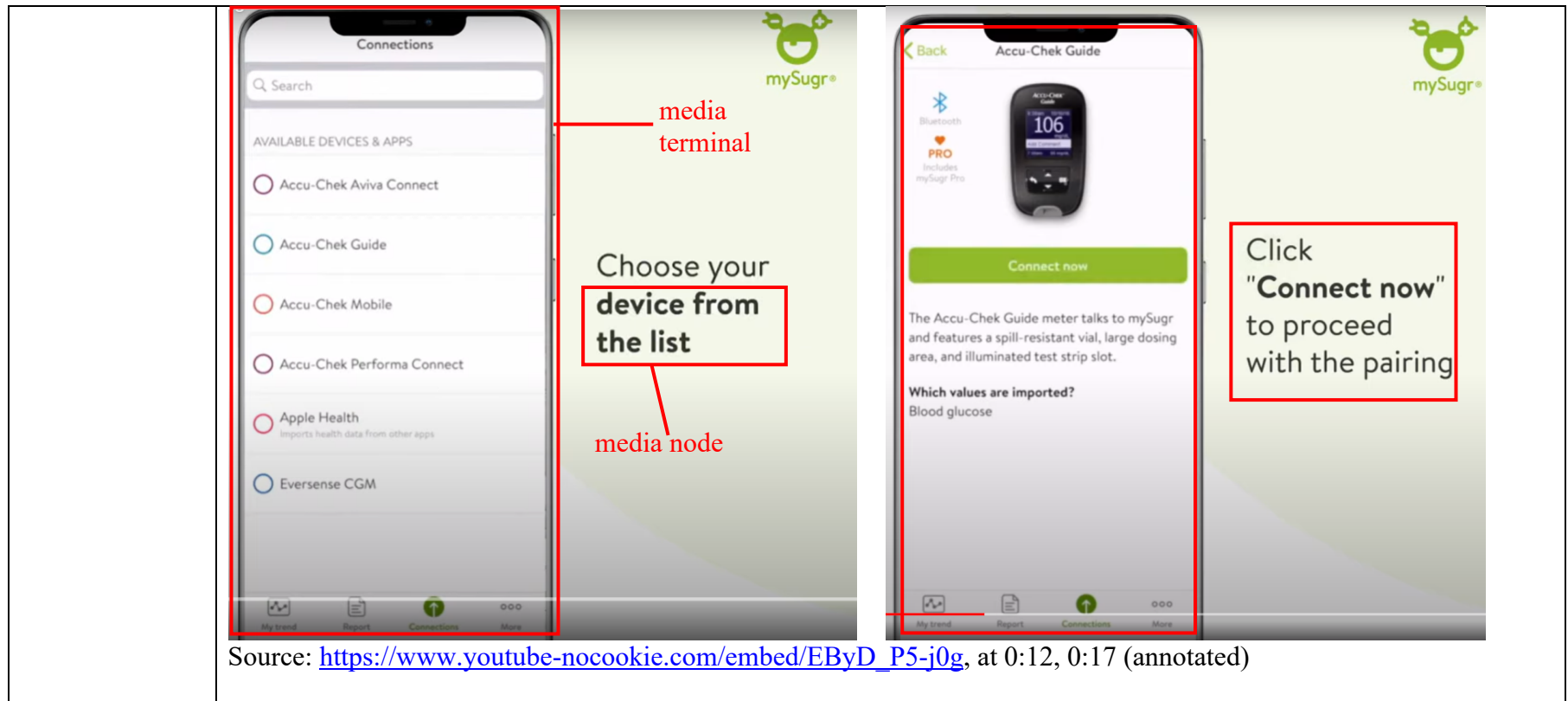
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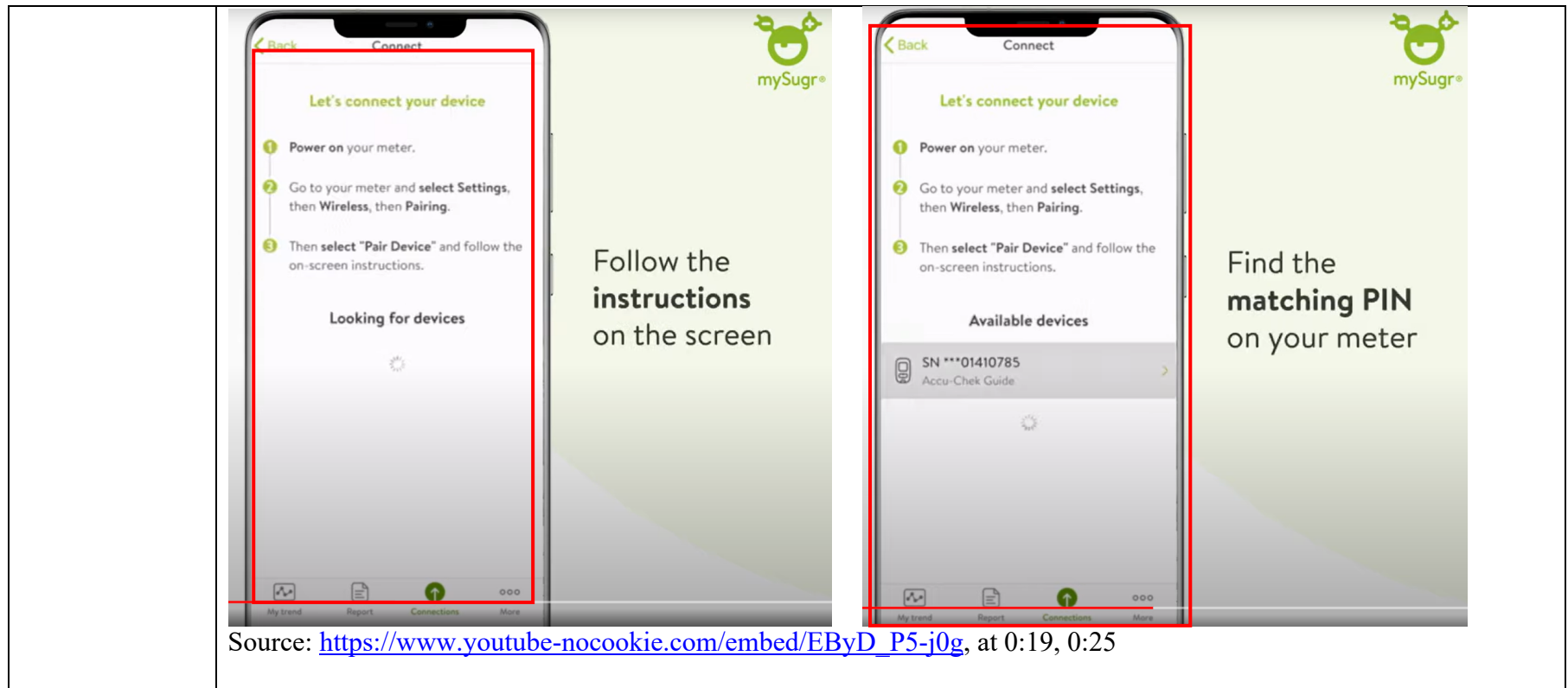


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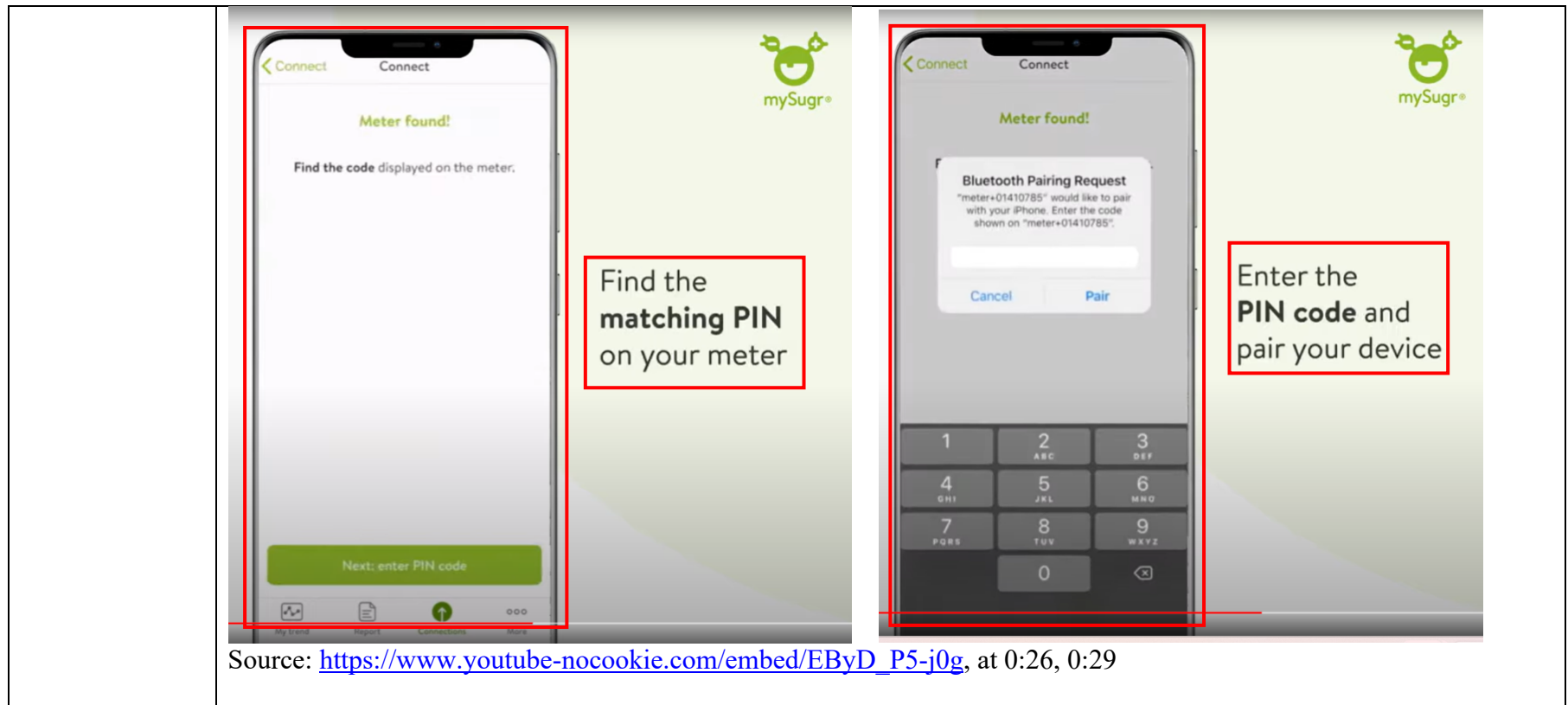


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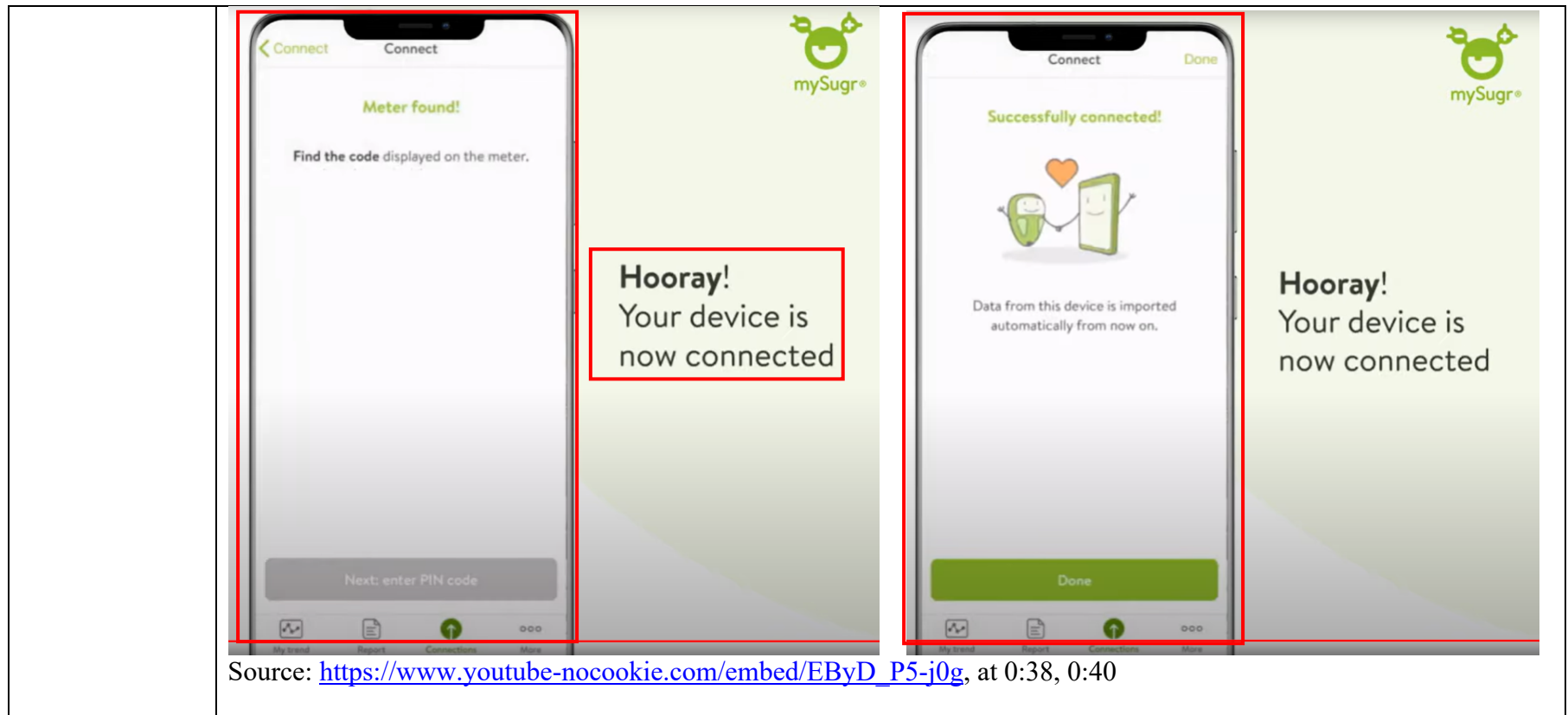


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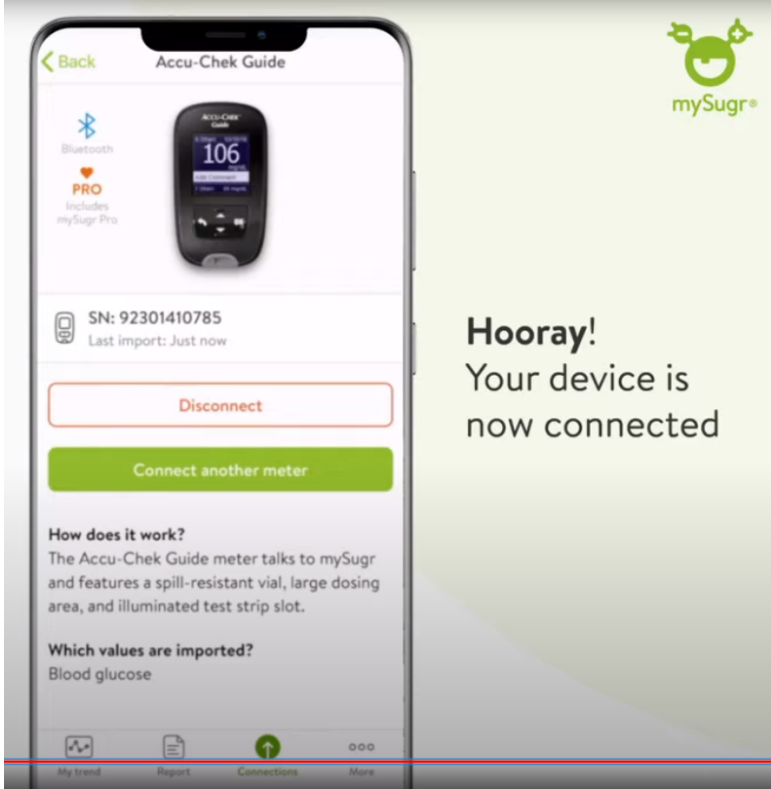
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<p>[17.4] said communication link being initiated by said at least one media terminal,</p>	<p>Company makes, uses, sells and/or offers to sell said communication link being initiated by said at least one media terminal.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the mySugr app, installed on the smartphone, initiates Bluetooth pairing to establish the communication channel with the Accu-Chek Guide.</p>

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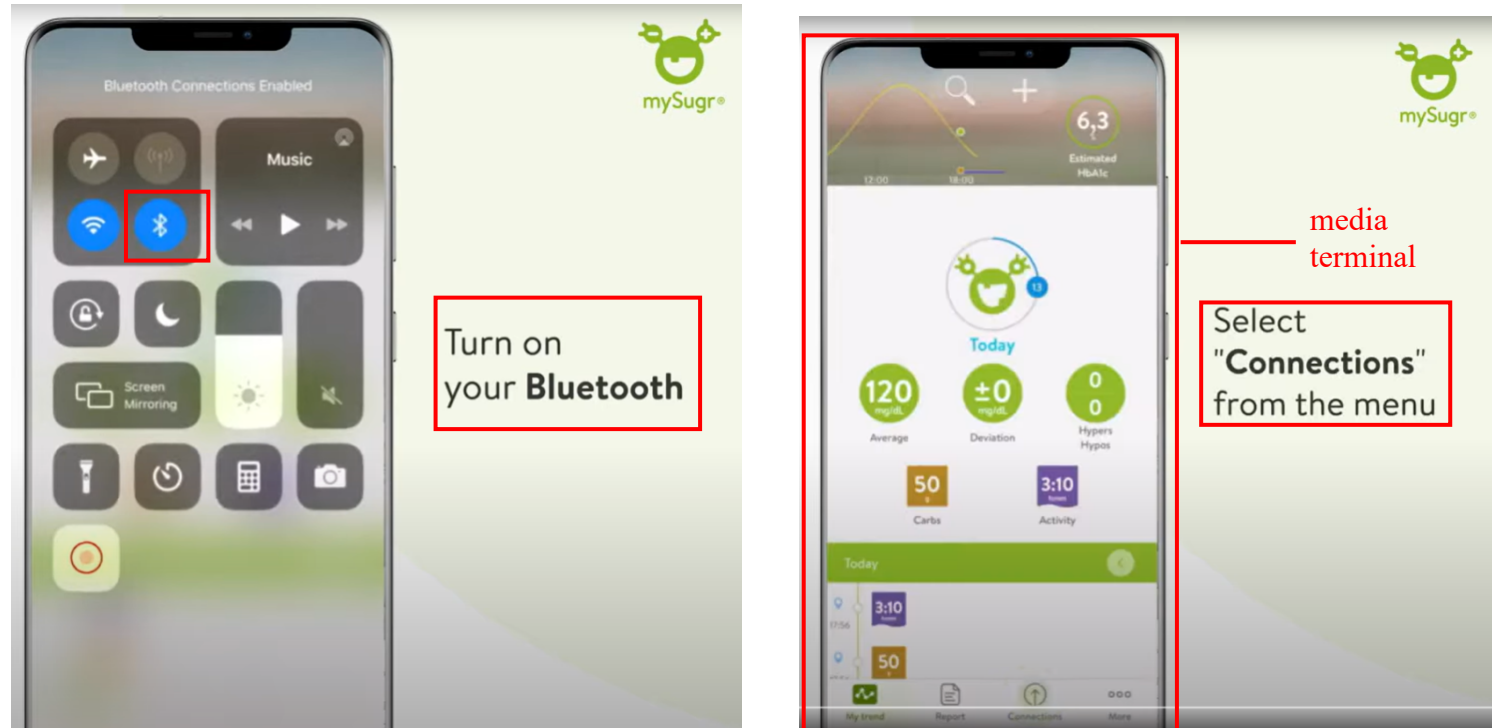
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Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:07, 0:09 (annotated)

Exhibit 3 to the Complaint.

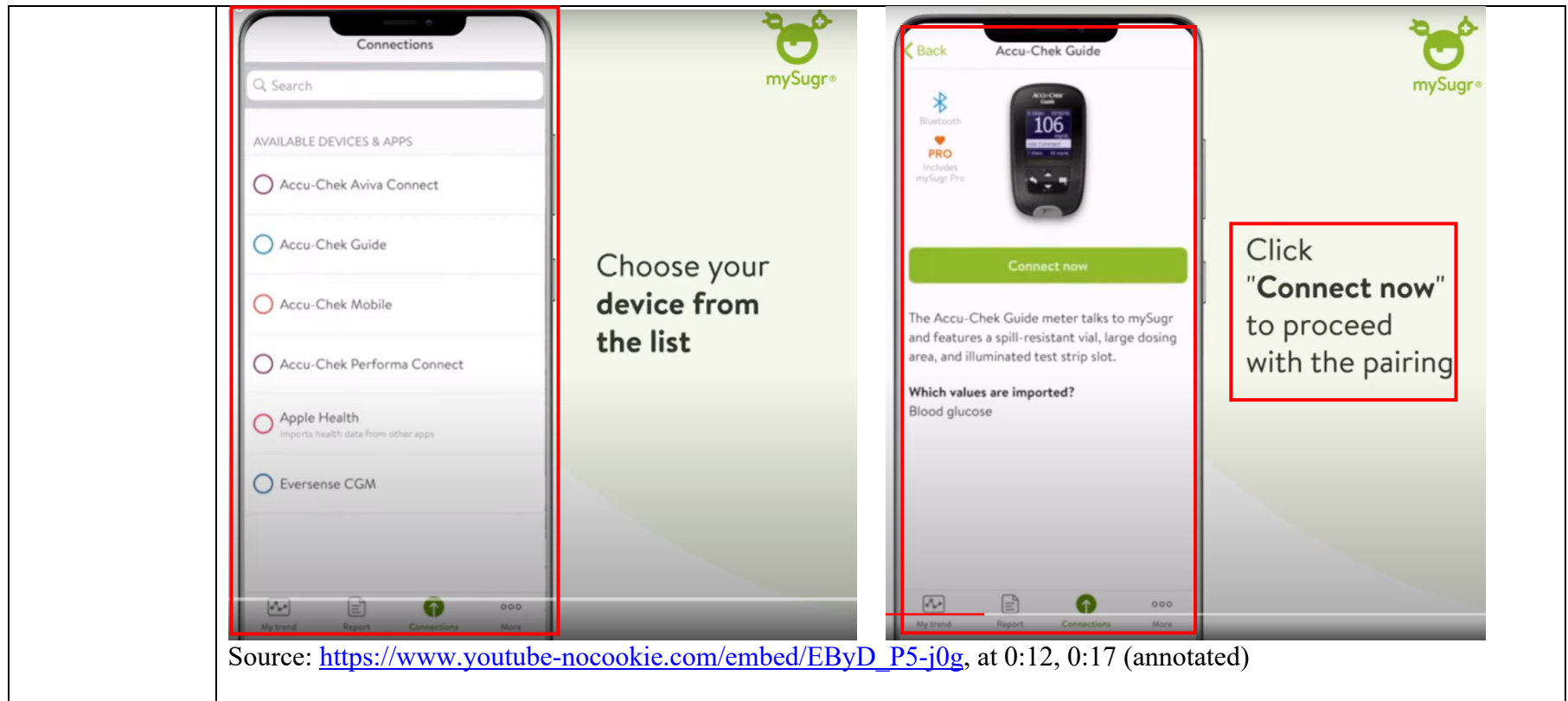


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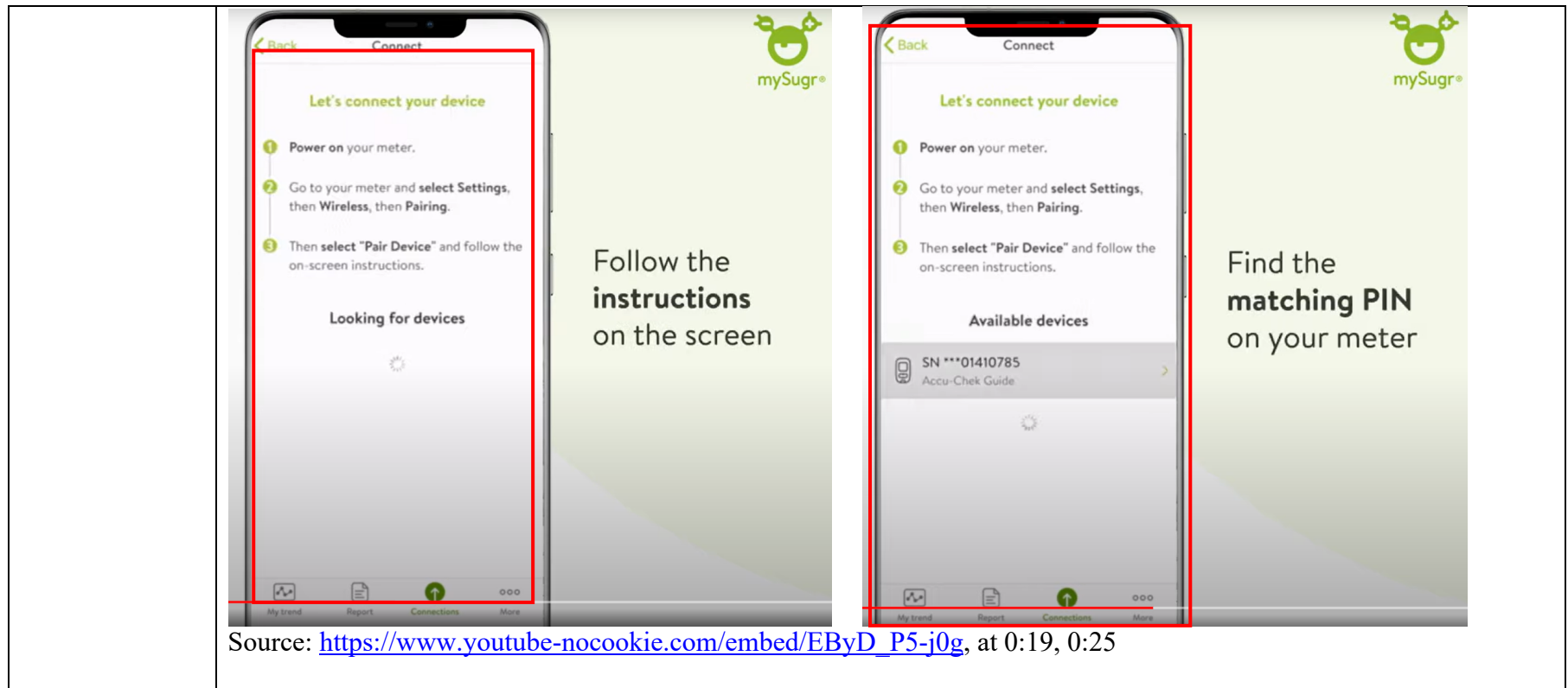


Exhibit 3 to the Complaint.

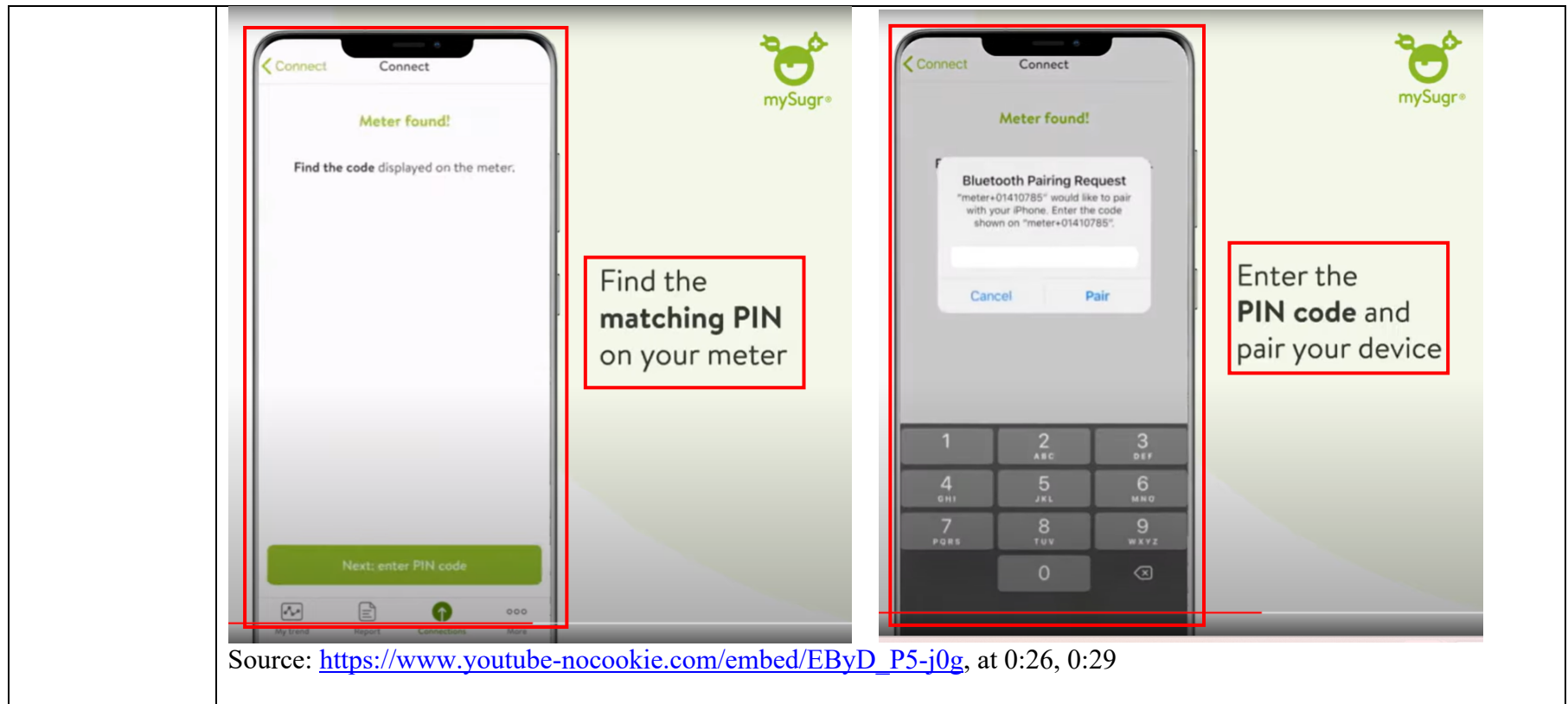


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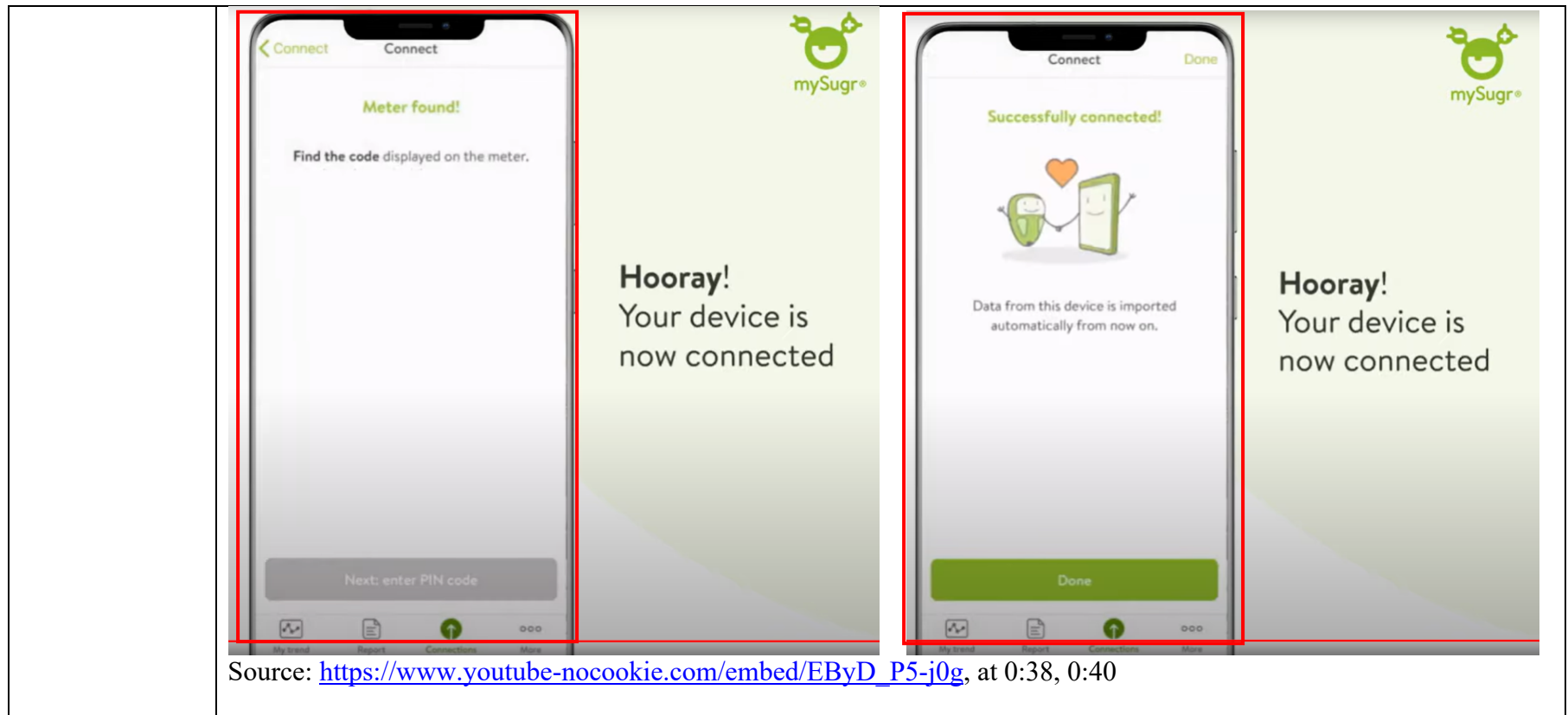
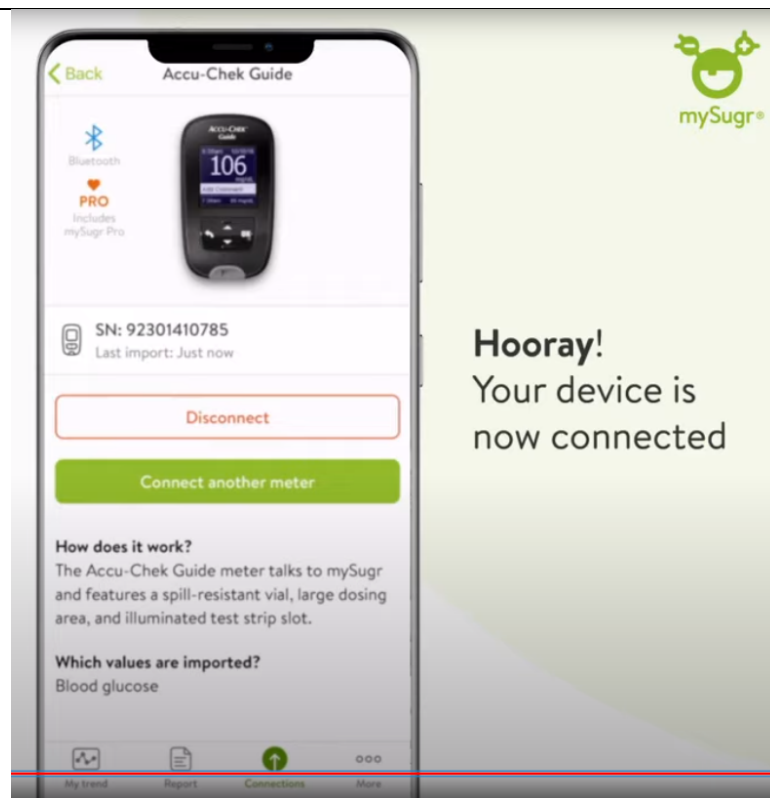


Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43

Further, to the extent this element is performed at least in part by Defendant’s software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[17.5] said at least one media node and said at least one media terminal structured to transmit said at

Company makes, uses, sells and/or offers to sell said at least one media node and said at least one media terminal structured to transmit said at least one digital media file therebetween via said communication link.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, after establishing a Bluetooth channel (“communication link”) between the mySugr app installed on the user’s smartphone and the Accu-Chek Guide, the Accu-Chek Guide (“media node”) sends (“structured to transmit”) the

Exhibit 3 to the Complaint.

<p>least one digital media file therebetween via said communication link, wherein</p>	<p>measured blood sugar levels (“at least one digital media file”) to the mySugr app installed on the user’s smartphone (“media terminal”).</p> <div data-bbox="451 349 1396 673"><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</u></p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p> <p>Bluetooth Wireless Technology – The meter uses <i>Bluetooth®</i> low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that</p> <ol style="list-style-type: none">1. utilizes Bluetooth low energy technology,2. it is paired with, and3. has an application that can accept the meter data. <p>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70</p>
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Exhibit 3 to the Complaint.


	<div><h3>How can I transfer Accu-Chek meter data to mySugr? </h3><p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p><p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p><ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<p>Source: https://www.accu-chek.com/support/products/guide</p></div>
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Exhibit 3 to the Complaint.

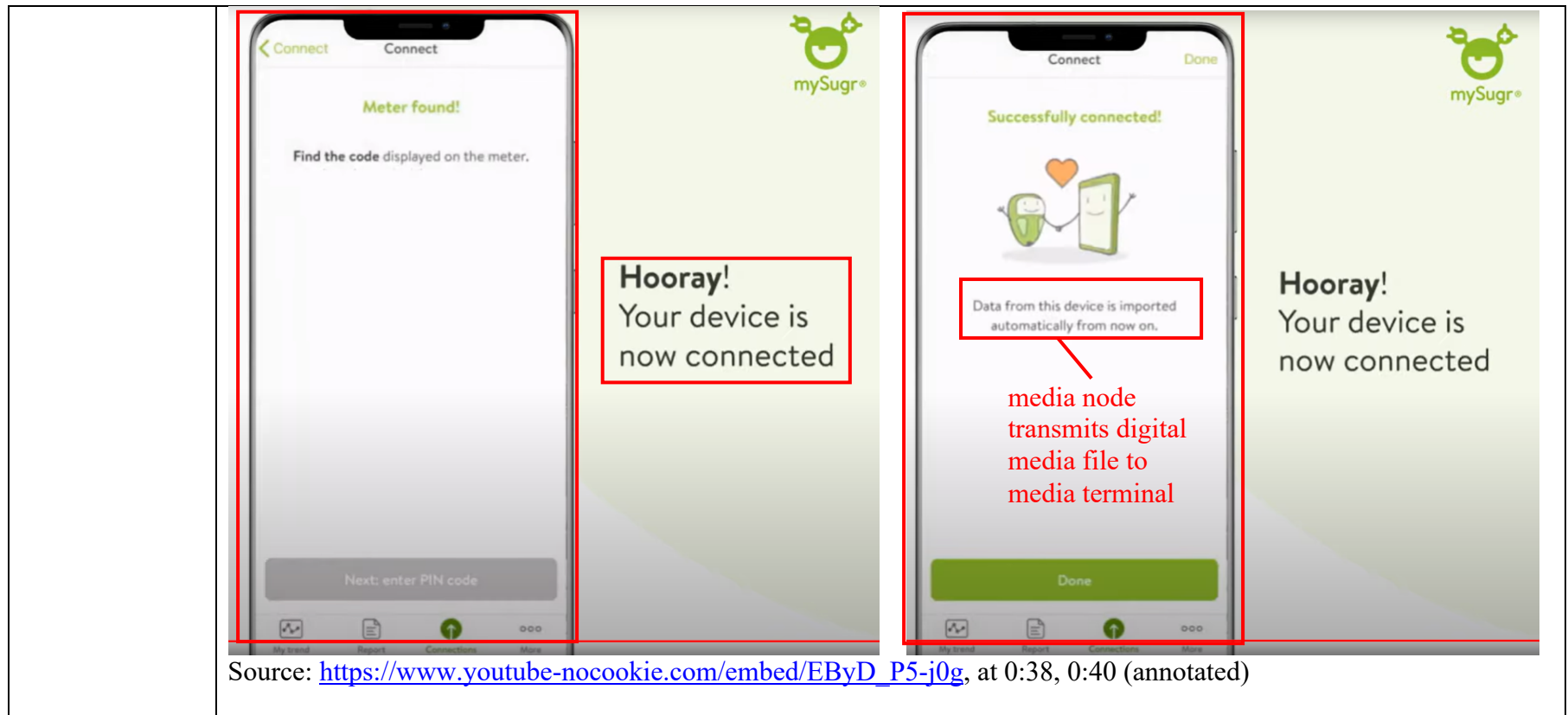


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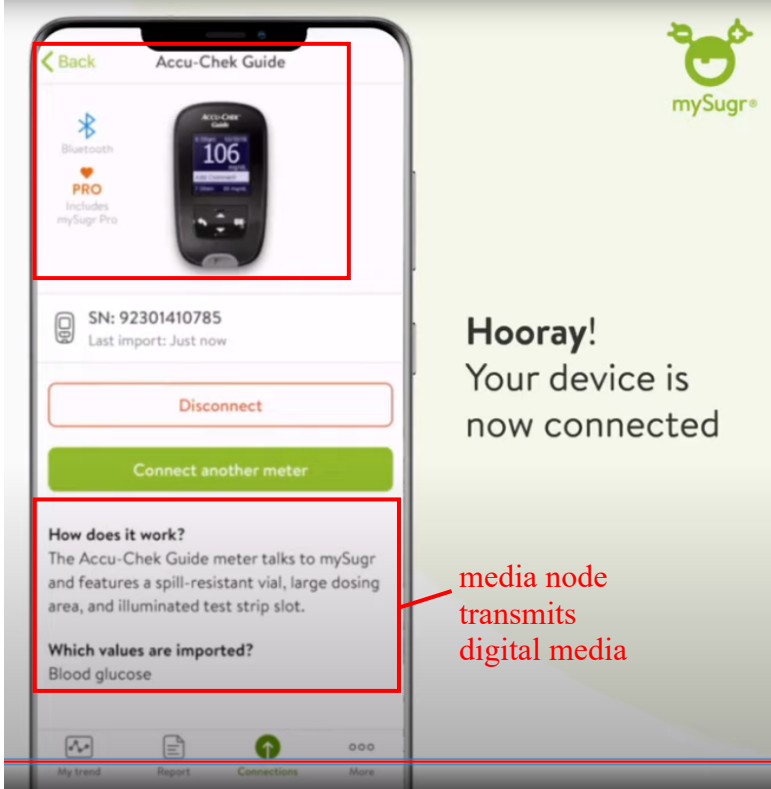
	 <p>media node transmits digital media</p> <p>Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:43 (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[17.6] said communication link is structured to bypass at least one</p>	<p>Company makes, uses, sells and/or offers to sell said communication link is structured to bypass at least one media terminal security measure.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

media terminal security measure.	<p>The Accu-Chek Guide meter and the mySugr app do not require users to input a PIN (“security measure”) every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN (“bypassing the security measure”). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypasses the security measure.</p> <div><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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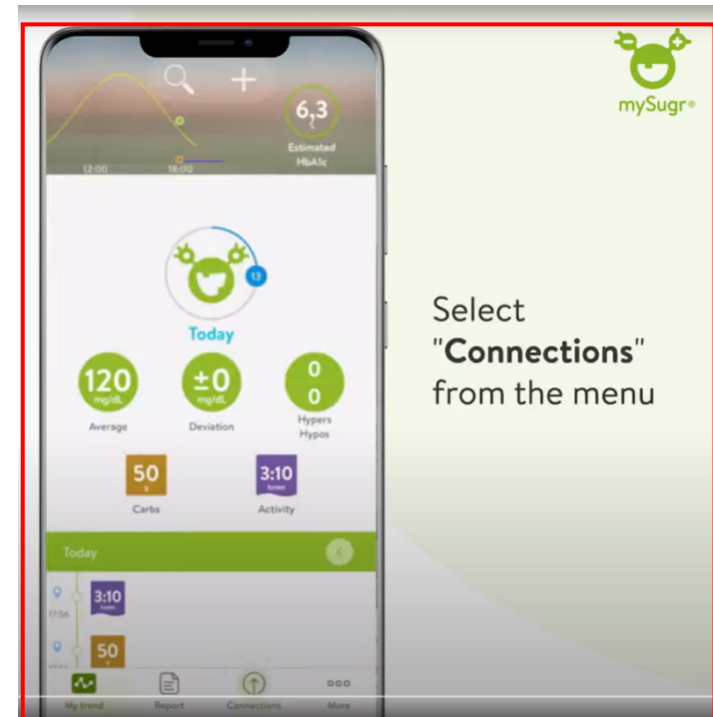
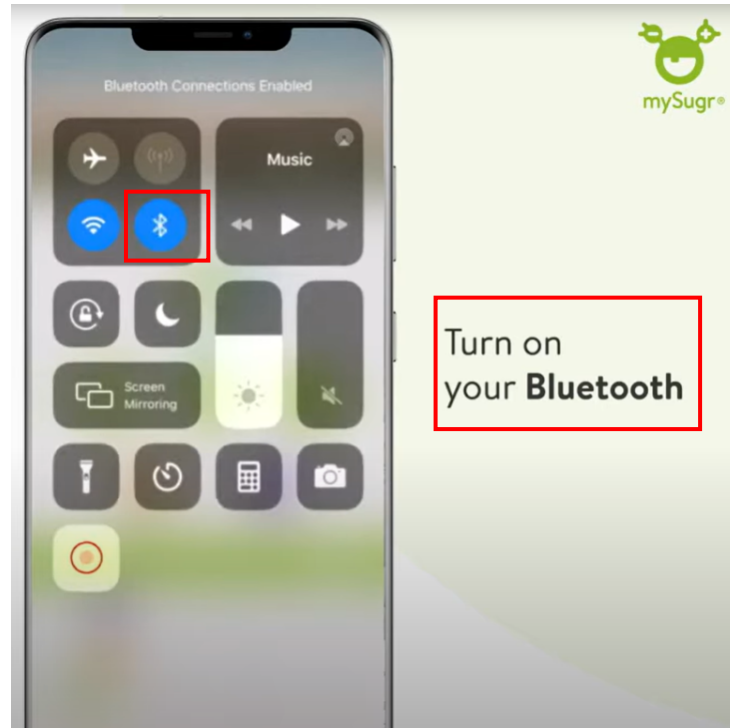
1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.

	<p>How can I transfer Accu-Chek meter data to mySugr? ^</p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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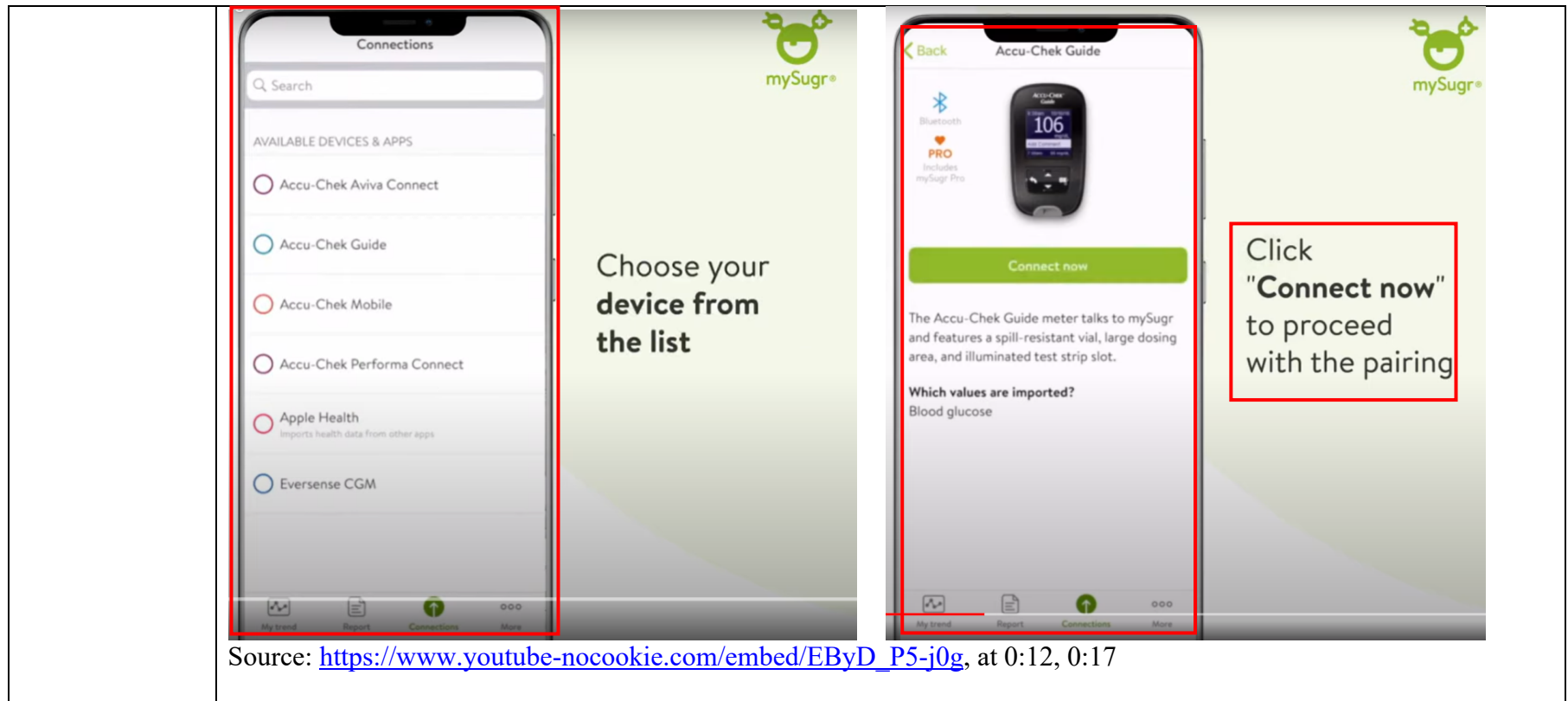


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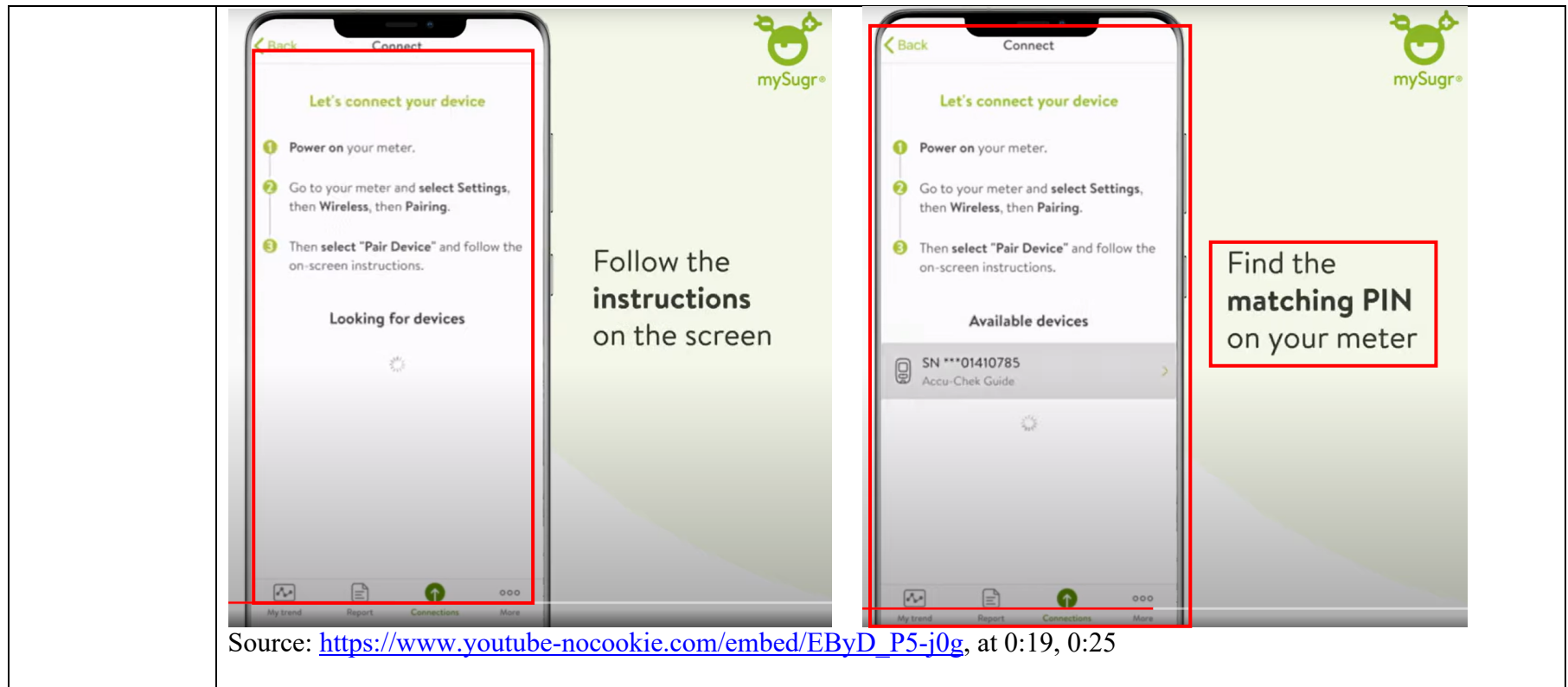


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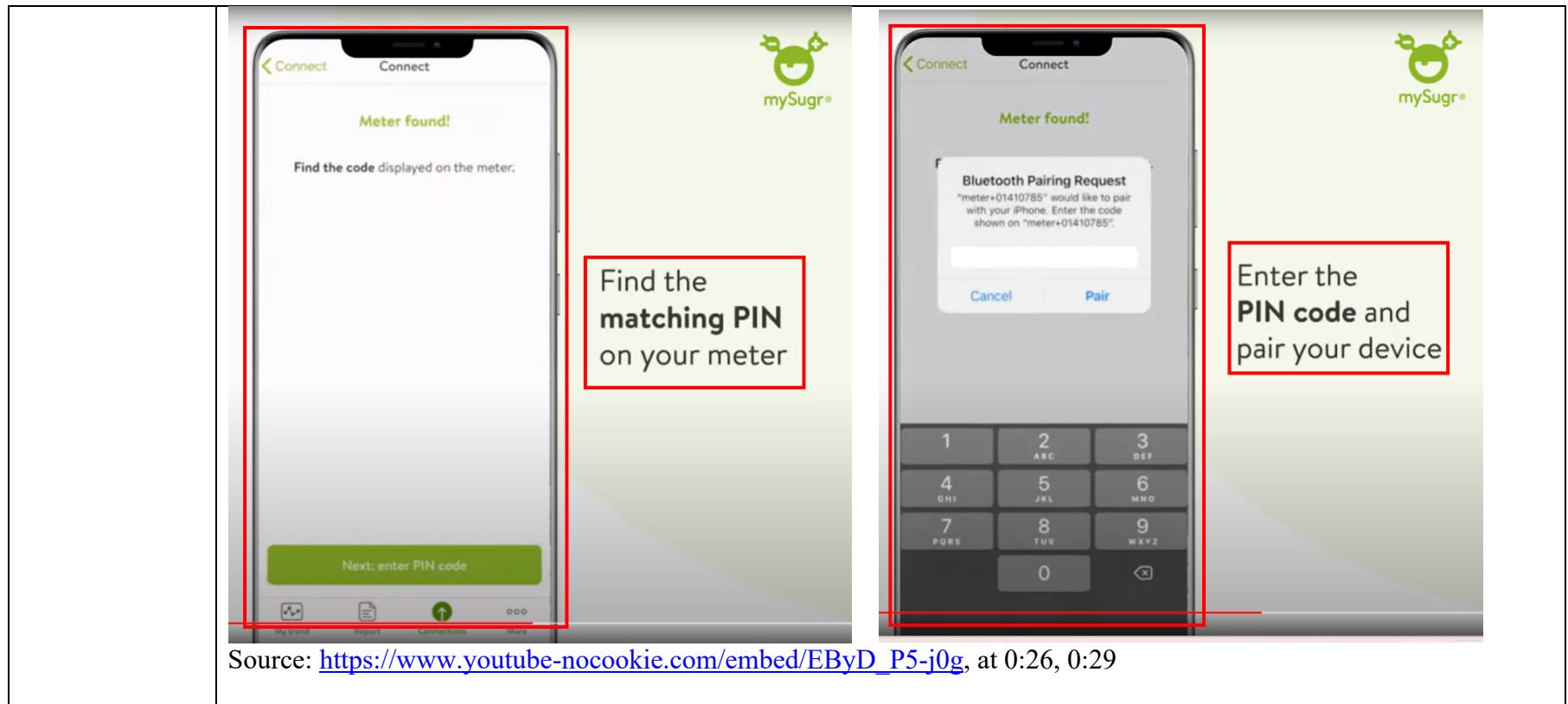


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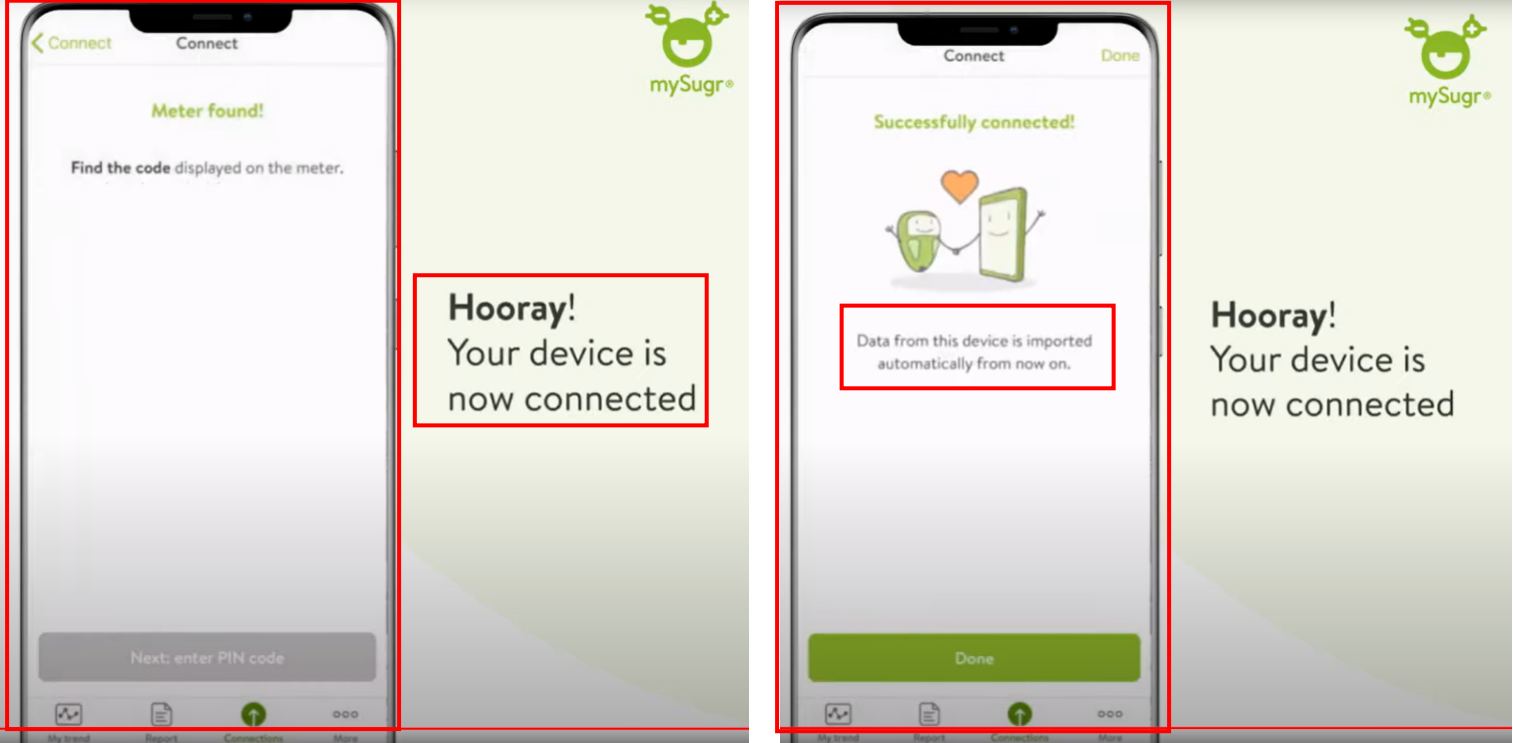
	 <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by the Defendant.</p>
<p>[18] The digital media communication protocol recited in claim 17 further comprising a wireless range</p>	<p>Company makes, uses, sells and/or offers to sell a wireless range structured to permit authorized access to said at least one interactive computer network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

structured to permit authorized access to said at least one interactive computer network.	<p>For example, the Accu-Chek Guide and the smartphone, on which the mySugr app is installed, are paired with each other using the Bluetooth network (“interactive computer network”). This network facilitates the pairing of the smartphone and the Accu-Chek Guide when they are within Bluetooth range of each other. To complete the Bluetooth pairing, the user is required to input the PIN (“permit authorized access”) of the Accu-Chek Guide into the mySugr app. It would be apparent to a person of ordinary skill in the art that wireless range structured to permit authorized access to at least one interactive computer network.</p> <div><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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Exhibit 3 to the Complaint.

Bluetooth Wireless Technology – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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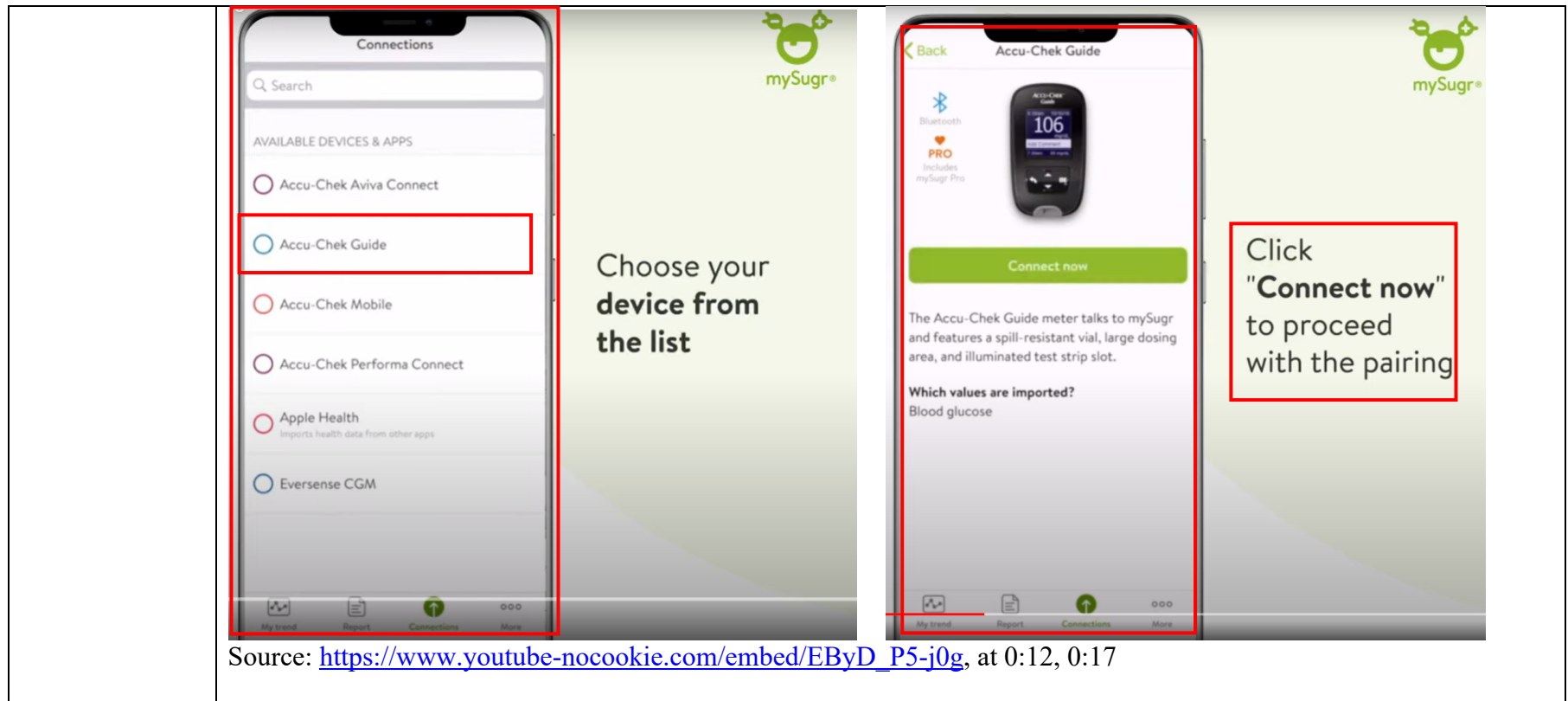


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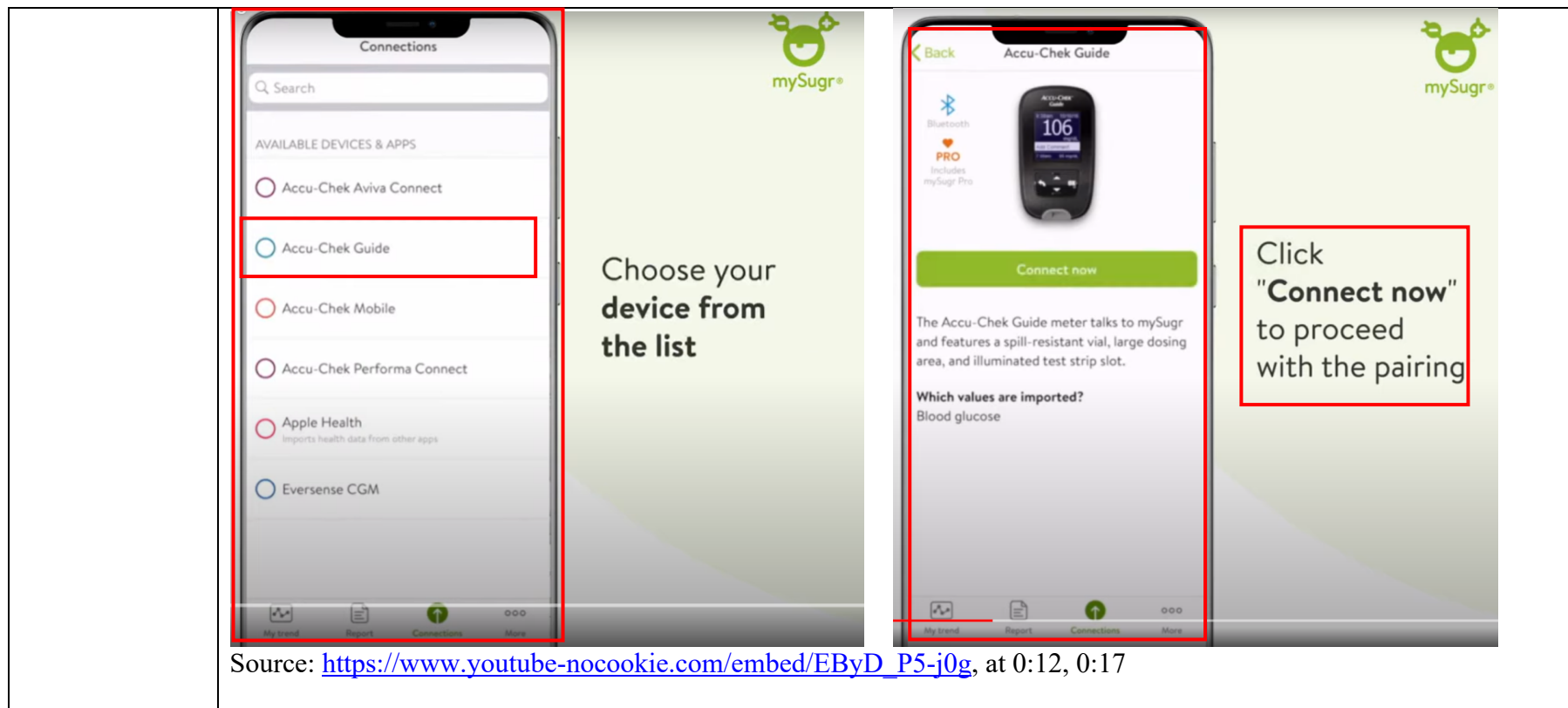


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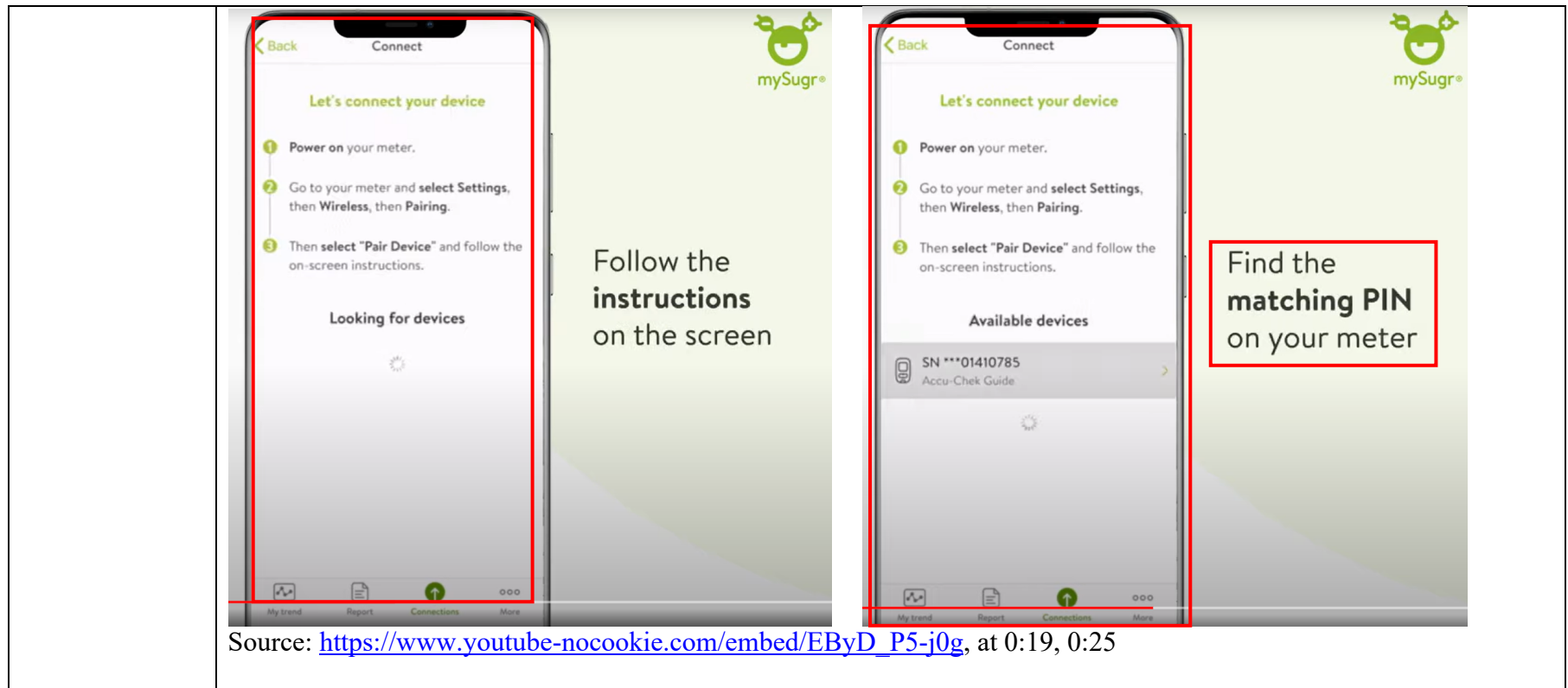


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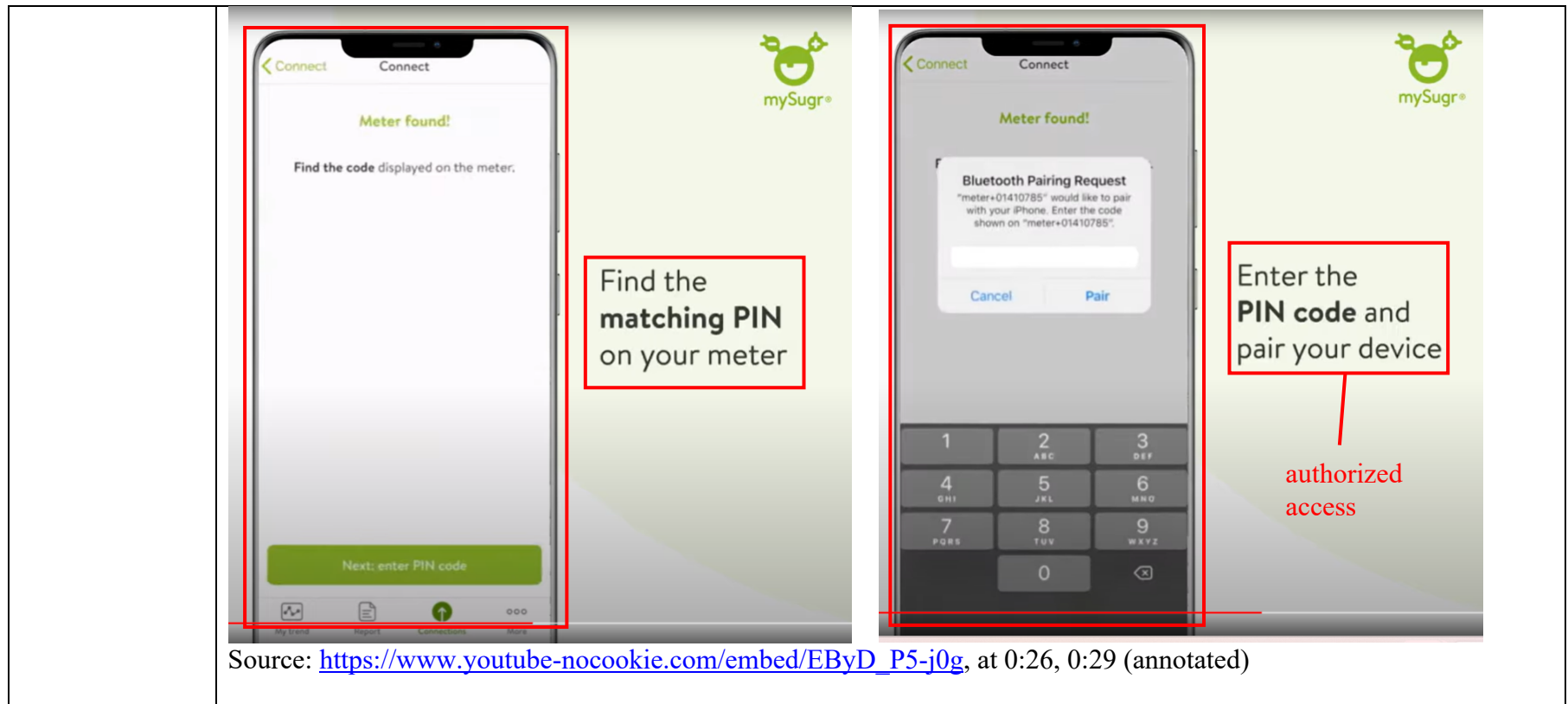


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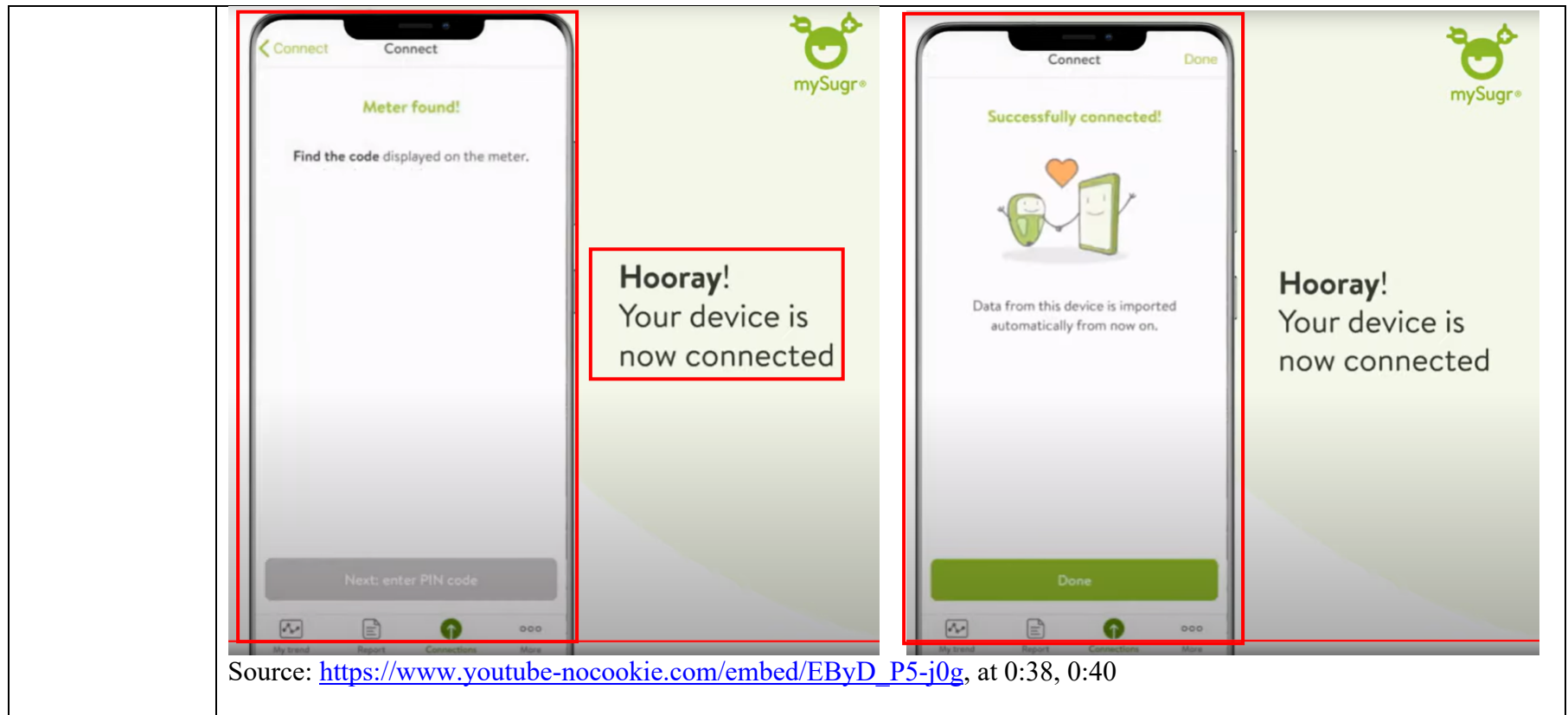


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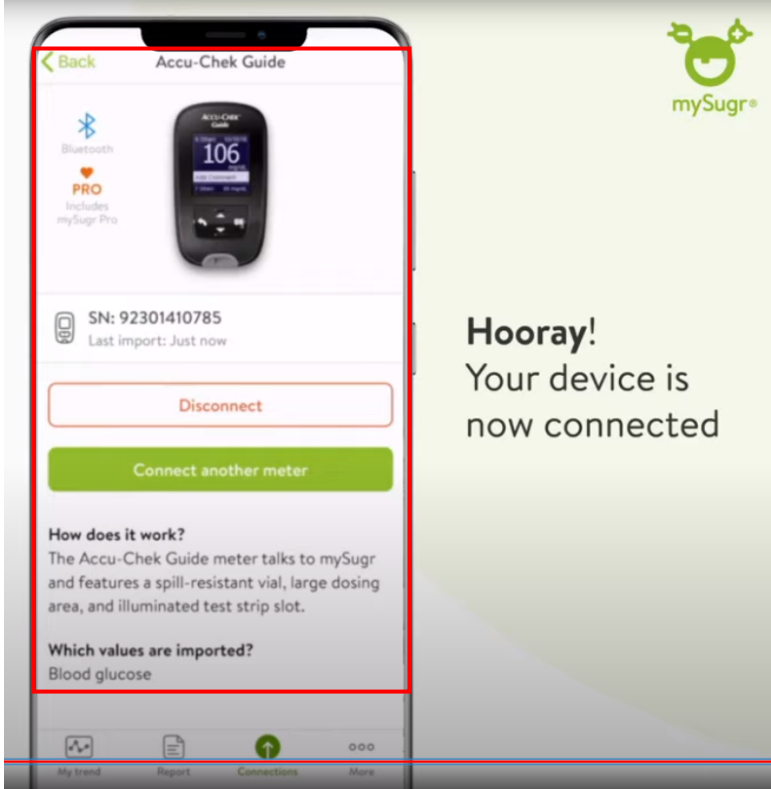
	 <p>Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:43</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by the Defendant.</p>
<p>[19] The digital media communication protocol recited in claim 18 wherein</p>	<p>Company makes, uses, sells and/or offers to sell said at least one media node is disposable within said wireless range and detectable by said at least one media terminal.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide ("media node") employs the Bluetooth network ("interactive computer network") to pair with the mySugr app which is installed on the user's smartphone. The smartphone, on which the mySugr app is</p>

Exhibit 3 to the Complaint.

said at least one media node is disposable within said wireless range and detectable by said at least one media terminal.

installed, detects the Accu-Chek Guide which is within its Bluetooth range. It would be apparent to a person of ordinary skill in the art that at least one media node disposable within the wireless range.

1 Personalized logging screen

Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

2 mySugr Analytics

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

3 Data Reports & Sharing

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.

media terminal

media node



Source: <https://www.accu-chek.com/products/mysugr> (annotated)

Exhibit 3 to the Complaint.

5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

Bluetooth Wireless Technology – The

meter uses *Bluetooth®* low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at

2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

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media
node

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70 (annotated)

Exhibit 3 to the Complaint.


CONNECT THE ACCU-CHEK GUIDE METER TO THE MYSUGR APP

1



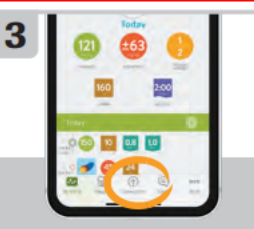
Using your smartphone, **download the mySugr app** from the App Store or Google Play and **create your mySugr account**.

2



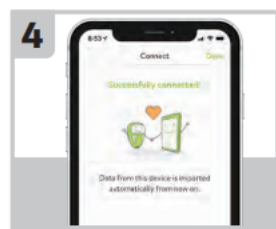
Turn on **Bluetooth®** wireless technology on your smartphone (if it's not on already).

3



Open the mySugr app, and select **Connections** on the menu. Select **Accu-Chek Guide**, and then **Connect now**. Follow the step-by-step directions for pairing.

4



After your meter is successfully connected to the mySugr app, **data from your device is imported** automatically. Now you can easily keep your diabetes data under control!

Source: <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download>, Page 1 of 2

Exhibit 3 to the Complaint.

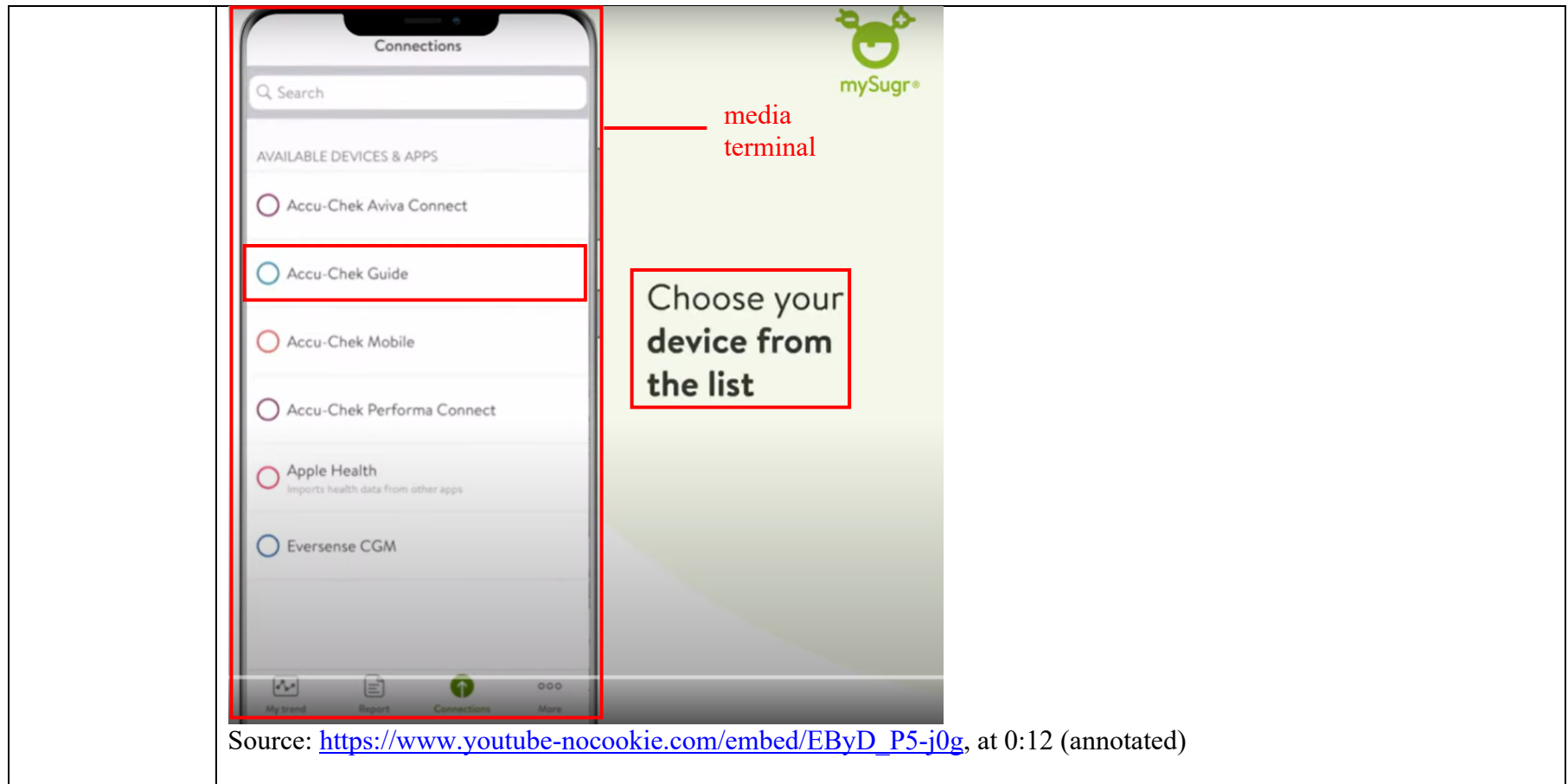
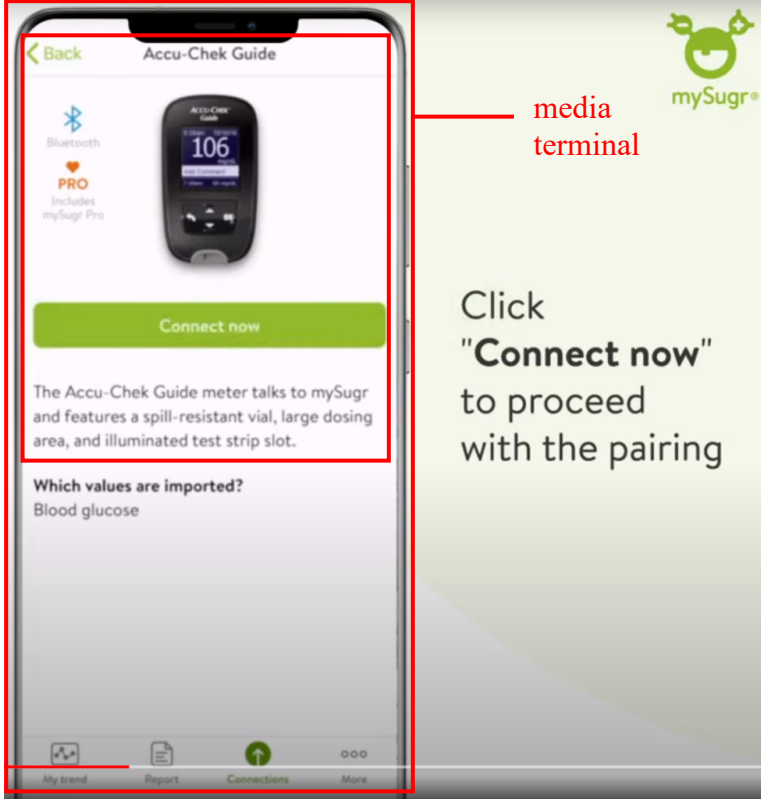


Exhibit 3 to the Complaint.



media
terminal

Click
"Connect now"
to proceed
with the pairing

Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:17 (annotated)

Exhibit 3 to the Complaint.

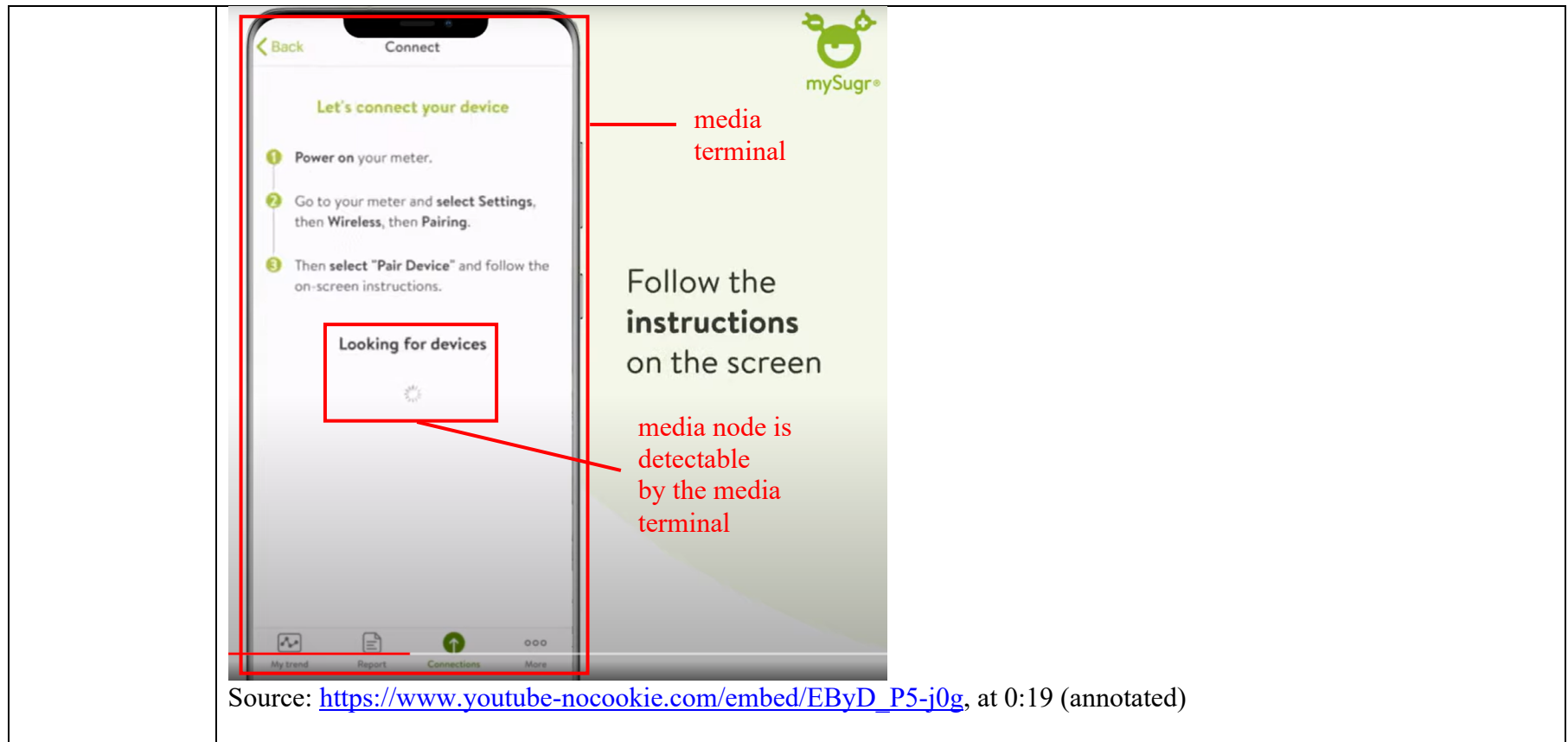


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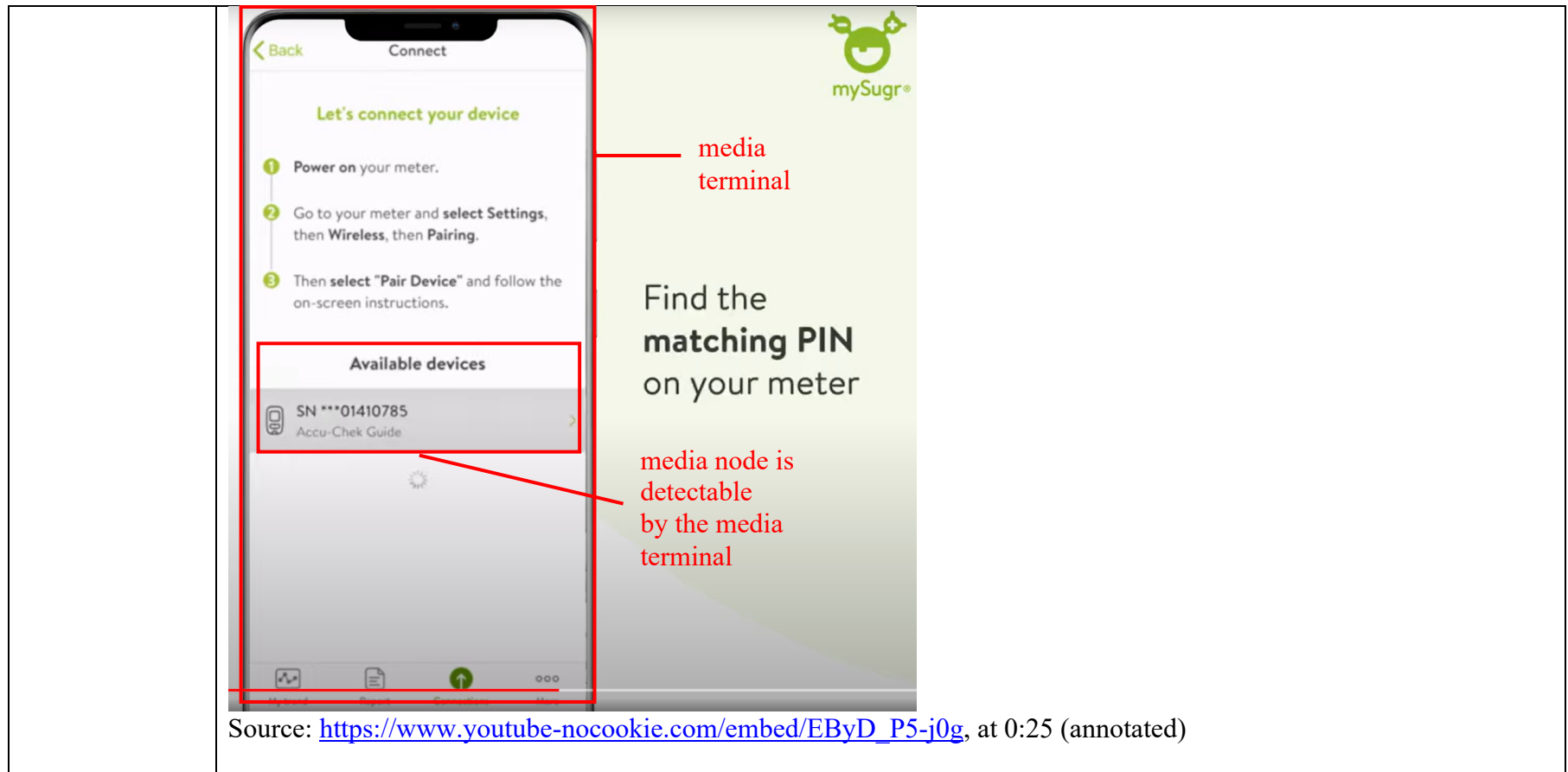


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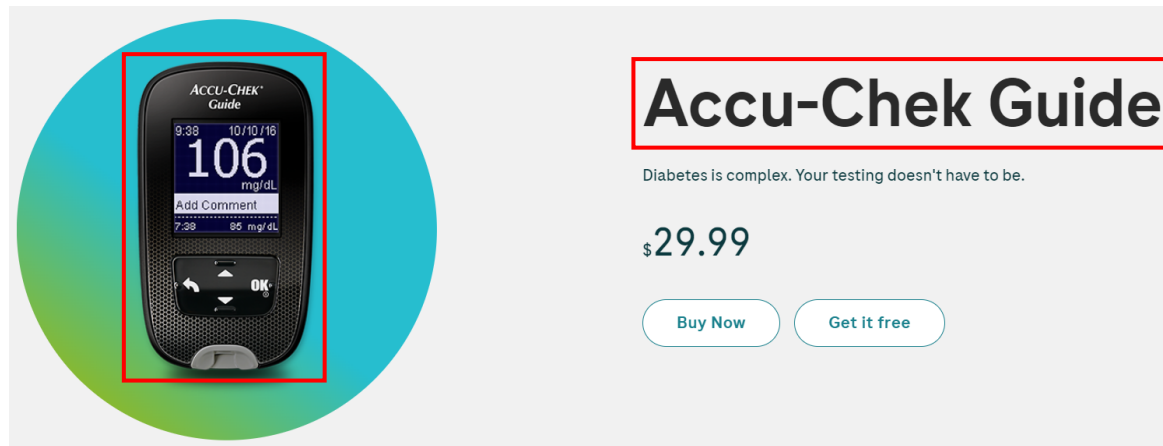
	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your <u>blood sugar readings</u> into the app, saving you tons of time.</p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none"> 1. If you are using an Apple device, make sure Bluetooth® is turned on. a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process. 2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.) 3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen. 4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it. 5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device. 6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[21.P] A digital media communication protocol, comprising:</p>	<p>Roche Diagnostics Corporation ("Company") makes, uses, sells and/or offers to sell a digital media communication protocol.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

For example, Company provides Accu-Chek Guide, a blood glucose meter designed to measure blood sugar levels. It transmits the measured blood sugar levels to a mySugr app, installed on the user's smartphone, using Bluetooth wireless technology ("digital media communication protocol").



Source: <https://www.accu-chek.com/products/meters/guide>

5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

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Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.

How can I transfer Accu-Chek meter data to mySugr? ^

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.
 - a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.
2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
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4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: <https://www.accu-chek.com/support/products/guide>

Easy Connection With Blood Sugar Meters ^


Automatically transfer your values to the mySugr app via Bluetooth and analyze them with one click to identify your patterns more quickly.

Exhibit 3 to the Complaint.

Source: <https://www.mysugr.com/en-us/>


CONNECT THE ACCU-CHEK GUIDE METER TO THE MYSUGR APP

1




Using your smartphone, **download the mySugr app** from the App Store or Google Play and **create your mySugr account**.

2



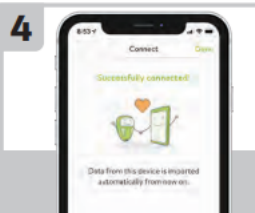
Turn on **Bluetooth®** wireless technology on your smartphone (if it's not on already).

3



Open the mySugr app, and select **Connections** on the menu. Select **Accu-Chek Guide**, and then **Connect now**. Follow the step-by-step directions for pairing.

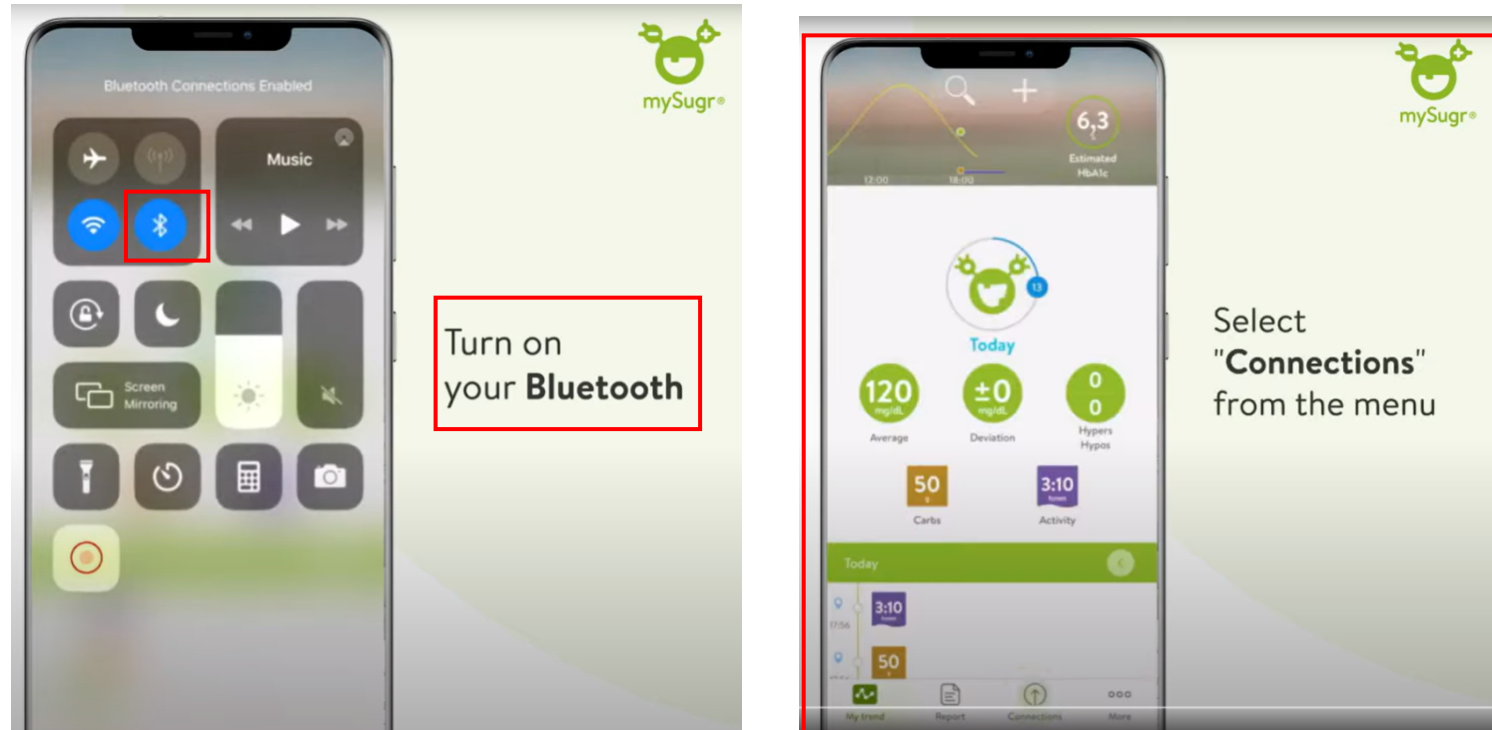
4



After your meter is successfully connected to the mySugr app, **data from your device is imported** automatically. Now you can easily keep your diabetes data under control!

Source: <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download>, Page 1 of 2

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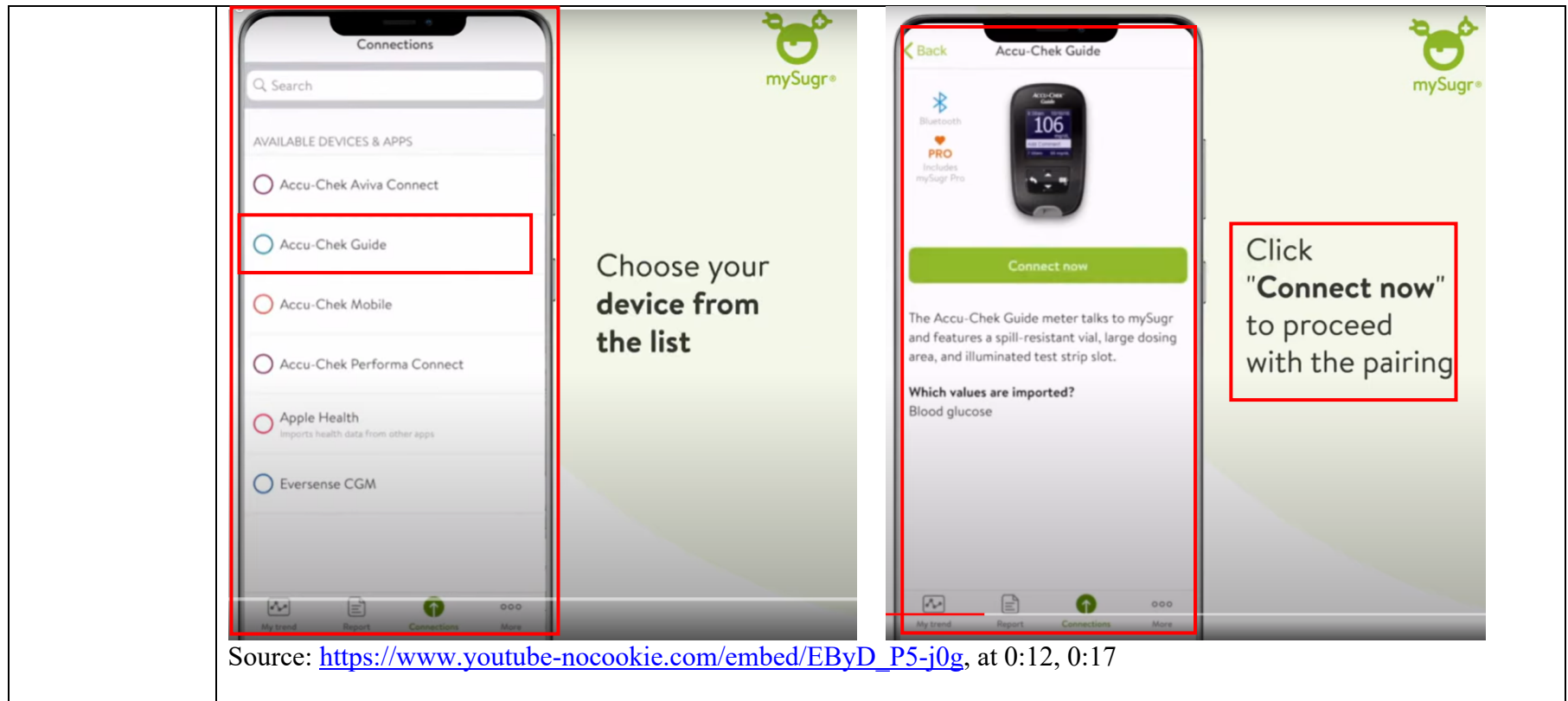


Exhibit 3 to the Complaint.

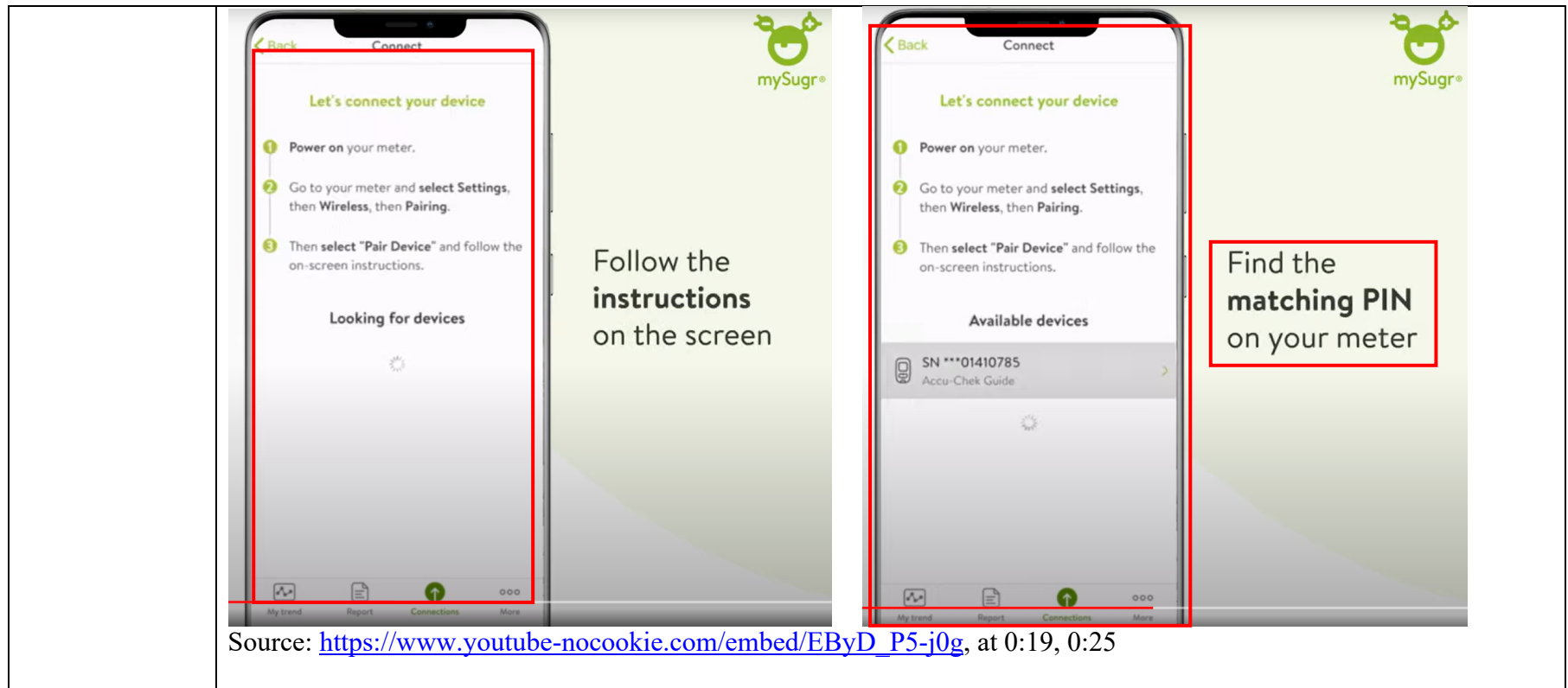


Exhibit 3 to the Complaint.

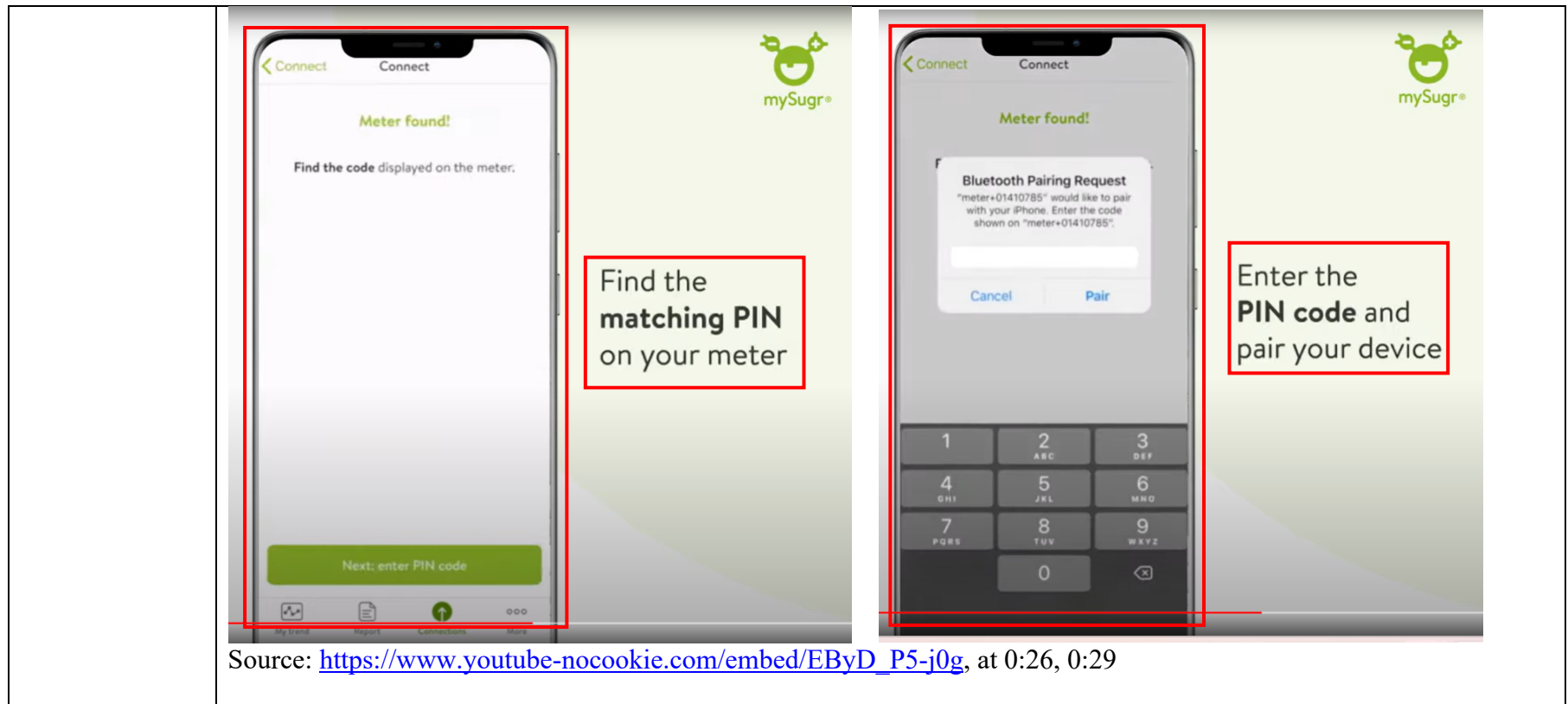


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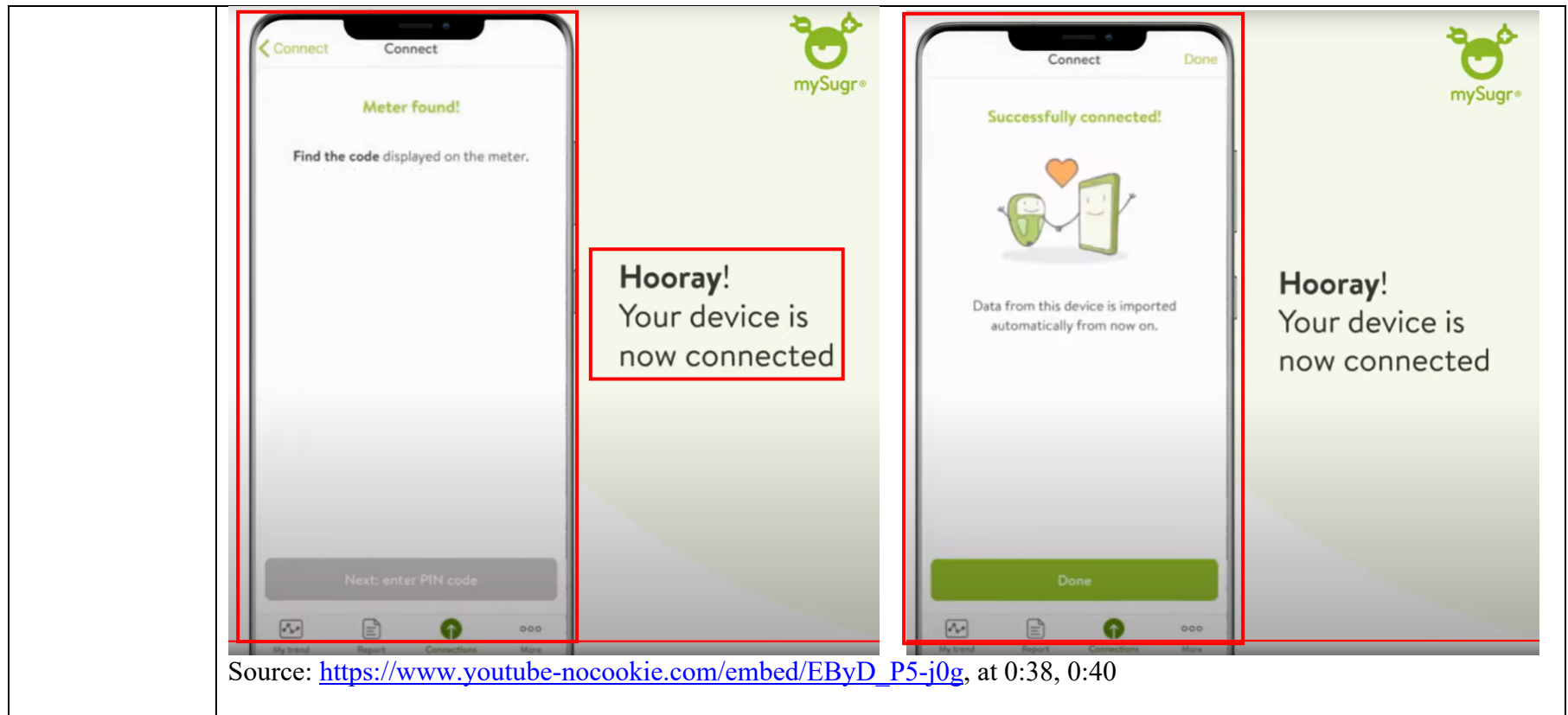


Exhibit 3 to the Complaint.

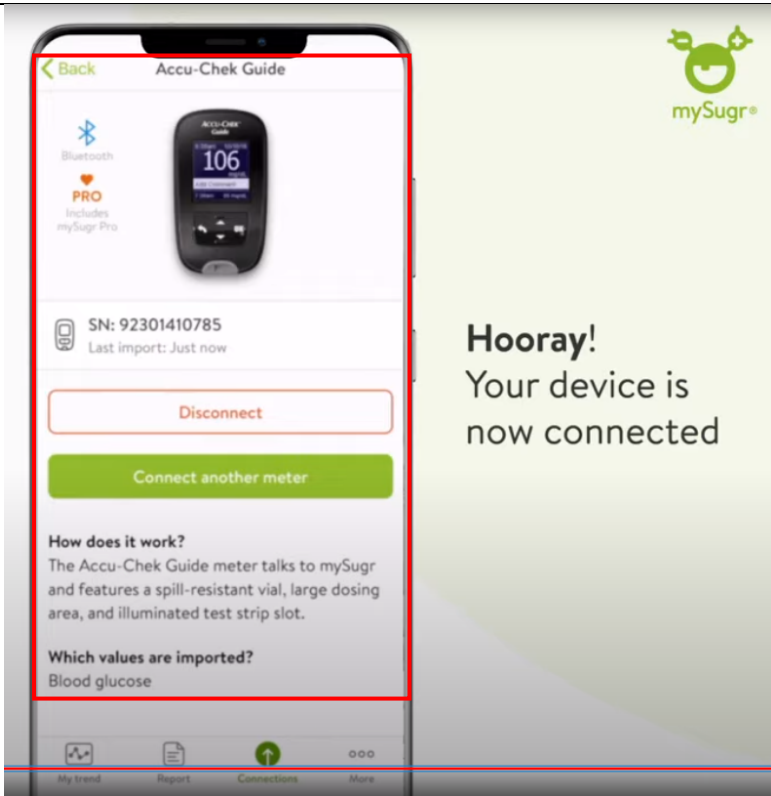
	 <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[21.1] at least one media terminal disposed in an accessible relation to at least one</p>	<p>Company makes, uses, sells and/or offers to sell at least one media terminal disposed in an accessible relation to at least one interactive computer network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide transmits the blood sugar levels to the mySugr app, installed on the user's smartphone ("media terminal"), using Bluetooth network ("interactive computer network"). Since, the smartphone communicates</p>

Exhibit 3 to the Complaint.




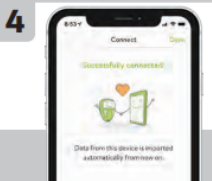
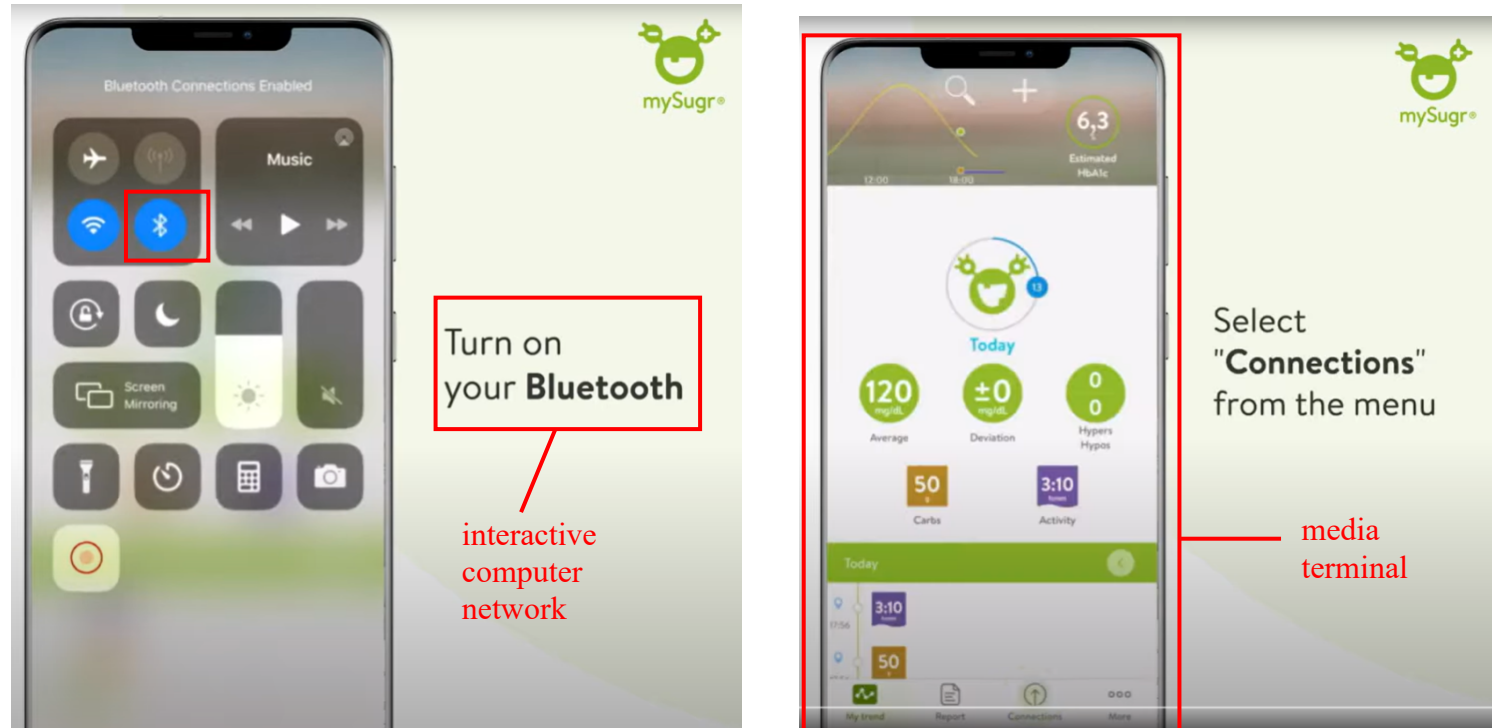
<p>interactive computer network,</p>	<p>and sends data to the Accu-Chek Guide using Bluetooth, it is apparent for a person having ordinary skills in the art that, the media terminal is disposed in an accessible relation with the Accu-Chek Guide using Bluetooth network.</p> <div data-bbox="445 386 961 1182"><p>CONNECT THE ACCU-CHEK GUIDE METER TO THE MYSUGR APP</p><div data-bbox="457 467 697 662"><p>1</p><p>Download on the App Store GET IT ON Google Play</p></div><p>Using your smartphone, download the mySugr app from the App Store or Google Play and create your mySugr account.</p></div> <div data-bbox="709 467 949 662"><p>2</p><p>Turn on Bluetooth® wireless technology on your smartphone (if it's not on already).</p></div> <div data-bbox="457 792 697 987"><p>3</p><p>Open the mySugr app, and select Connections on the menu. Select Accu-Chek Guide, and then Connect now. Follow the step-by-step directions for pairing.</p></div> <div data-bbox="709 792 949 987"><p>4</p><p>After your meter is successfully connected to the mySugr app, data from your device is imported automatically. Now you can easily keep your diabetes data under control!</p></div>
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Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:07, 0:09 (annotated)

Exhibit 3 to the Complaint.

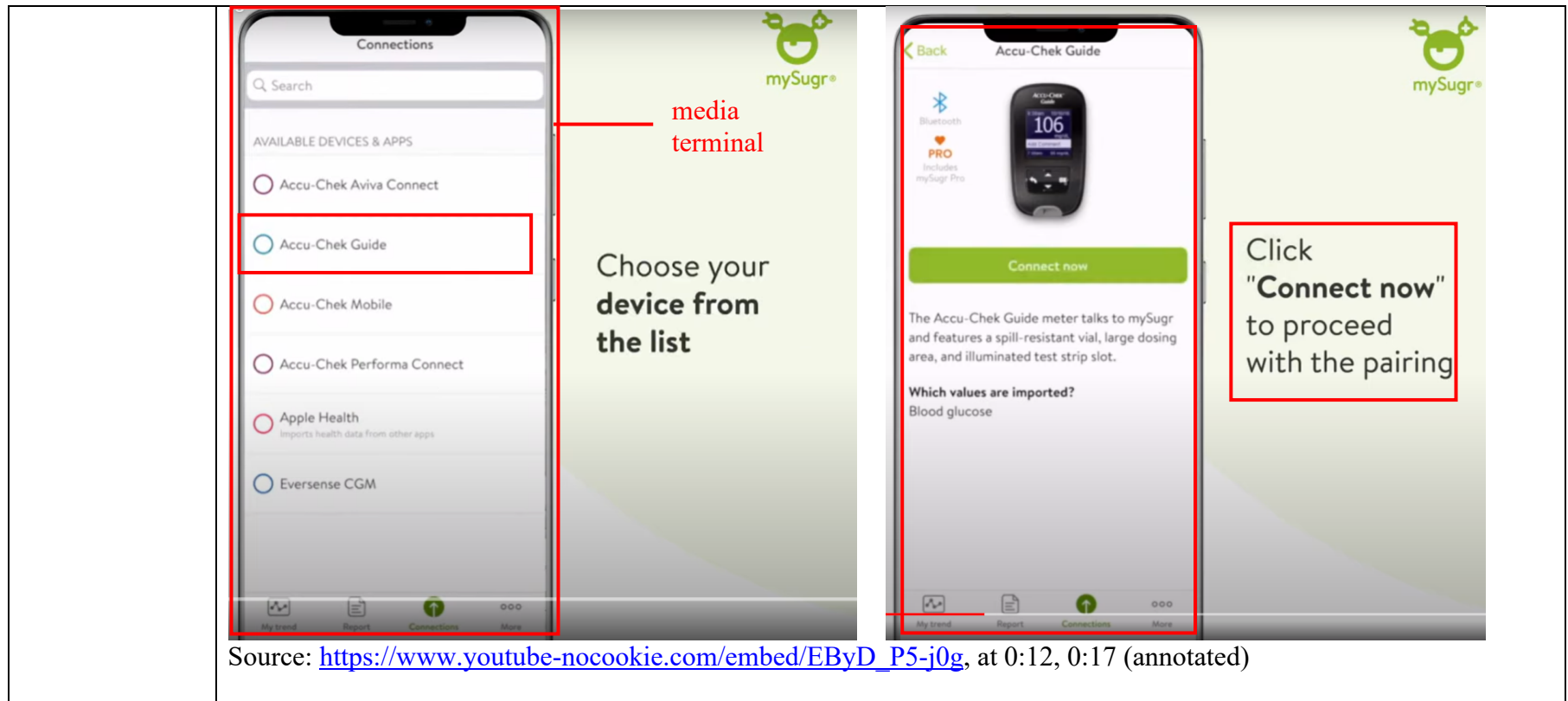


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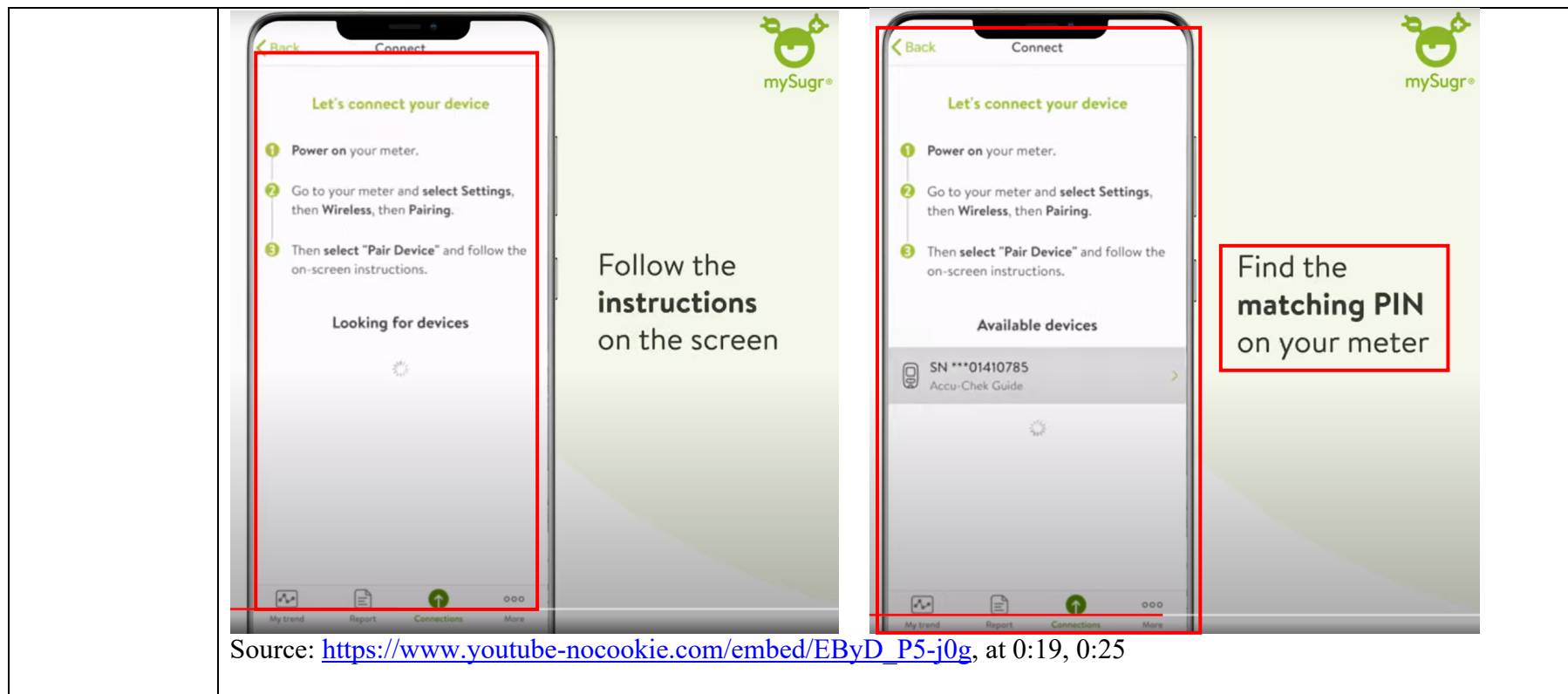
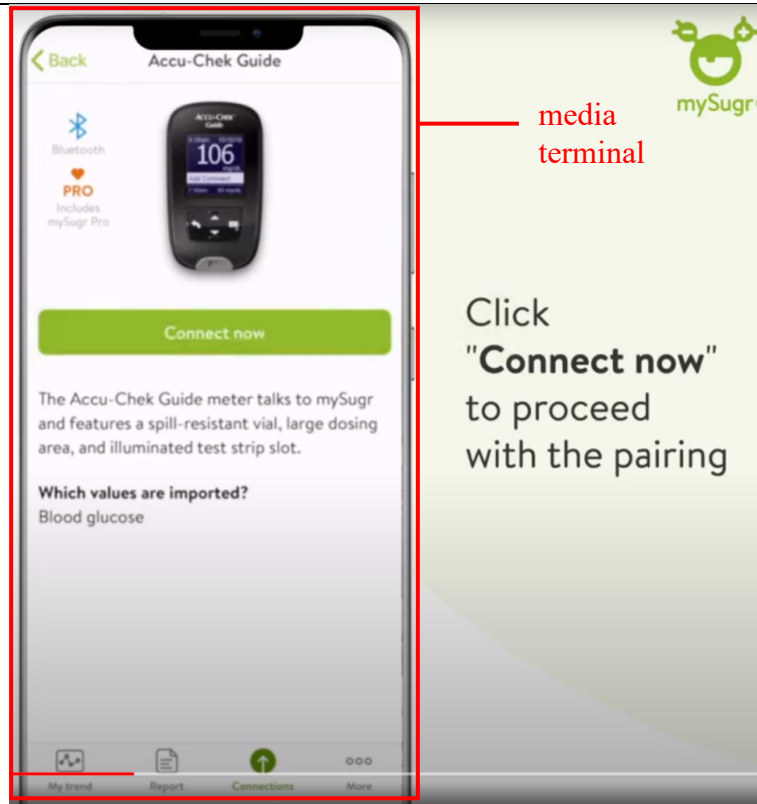


Exhibit 3 to the Complaint.



media
terminal

Click
"Connect now"
to proceed
with the pairing

Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:17 (annotated)

Exhibit 3 to the Complaint.


	<div><h3>How can I transfer Accu-Chek meter data to mySugr? </h3><p>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your <u>blood sugar readings</u> into the app, saving you tons of time.</p><p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p><div><ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.</div><div><ol style="list-style-type: none">2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.</div><ol style="list-style-type: none">5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<p>Source: https://www.accu-chek.com/support/products/guide</p></div>
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Exhibit 3 to the Complaint.


	<p> Other</p> <ul style="list-style-type: none"> • receive data from Internet • view network connections • pair with Bluetooth devices • access Bluetooth settings • full network access • run at startup • control vibration • prevent device from sleeping <p>Source: https://play.google.com/store/apps/details?id=com.mysugr.android.companion</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[21.2] a wireless range structured to permit authorized access to said at least one interactive computer network,</p>	<p>Company makes, uses, sells and/or offers to sell a wireless range structured to permit authorized access to said at least one interactive computer network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide and the smartphone, on which the mySugr app is installed, are paired with each other using the Bluetooth network (“interactive computer network”). This network facilitates the pairing of the smartphone and the Accu-Chek Guide when they are within Bluetooth range of each other. To complete the Bluetooth pairing, the user is required to input the PIN (“permit authorized access”) of the Accu-Chek Guide into the mySugr app. It would be apparent to a person of ordinary skill in the art that wireless range structured to permit authorized access to at least one interactive computer network.</p>

Exhibit 3 to the Complaint.

5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

Bluetooth Wireless Technology – The meter uses *Bluetooth®* low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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Exhibit 3 to the Complaint.

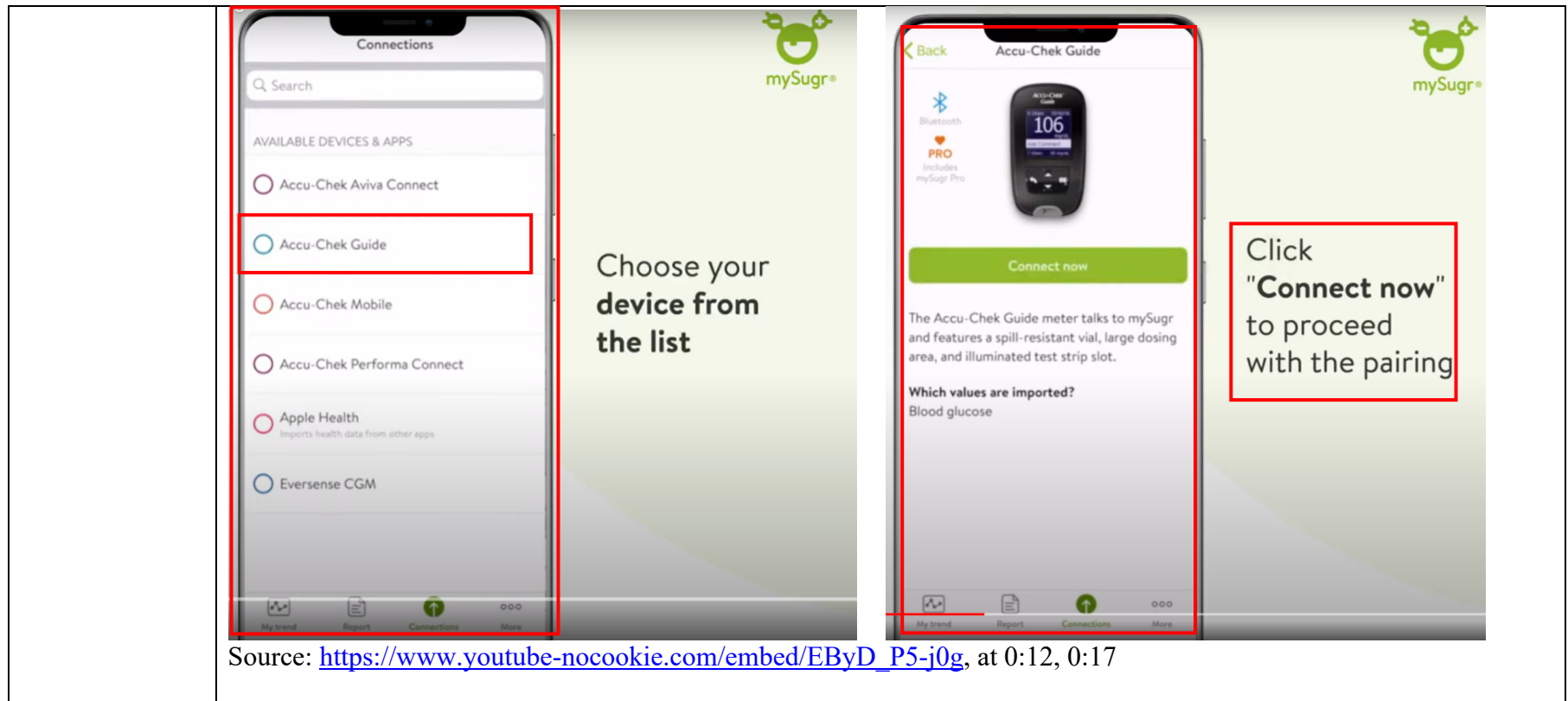


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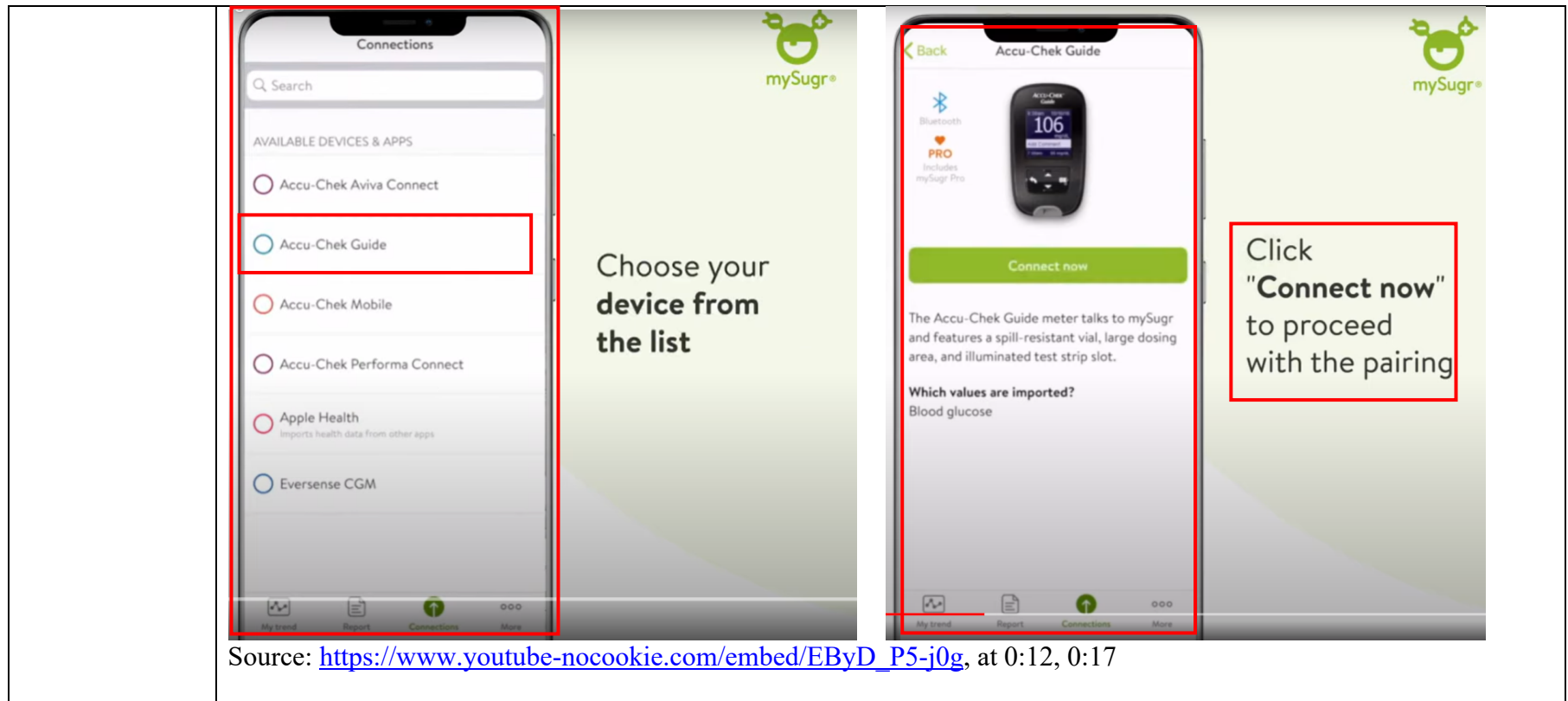


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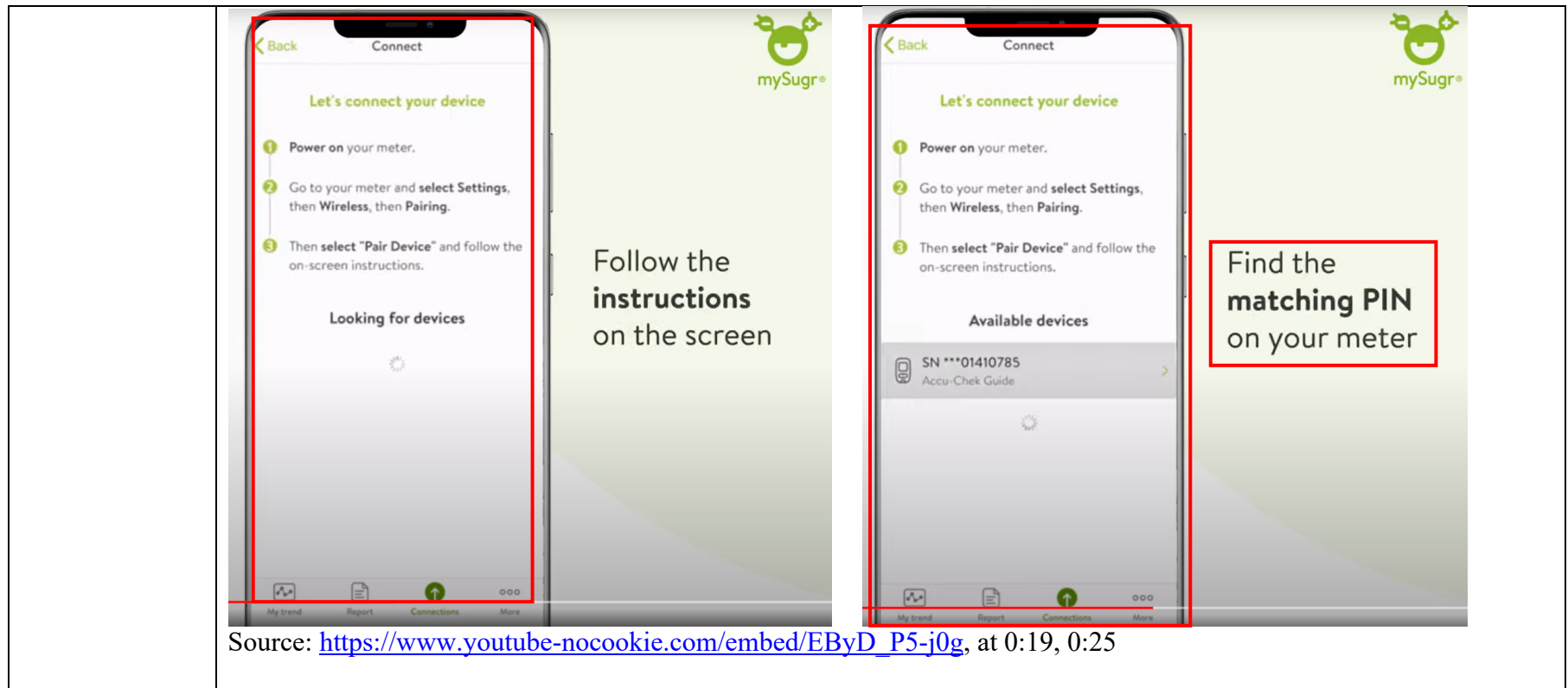


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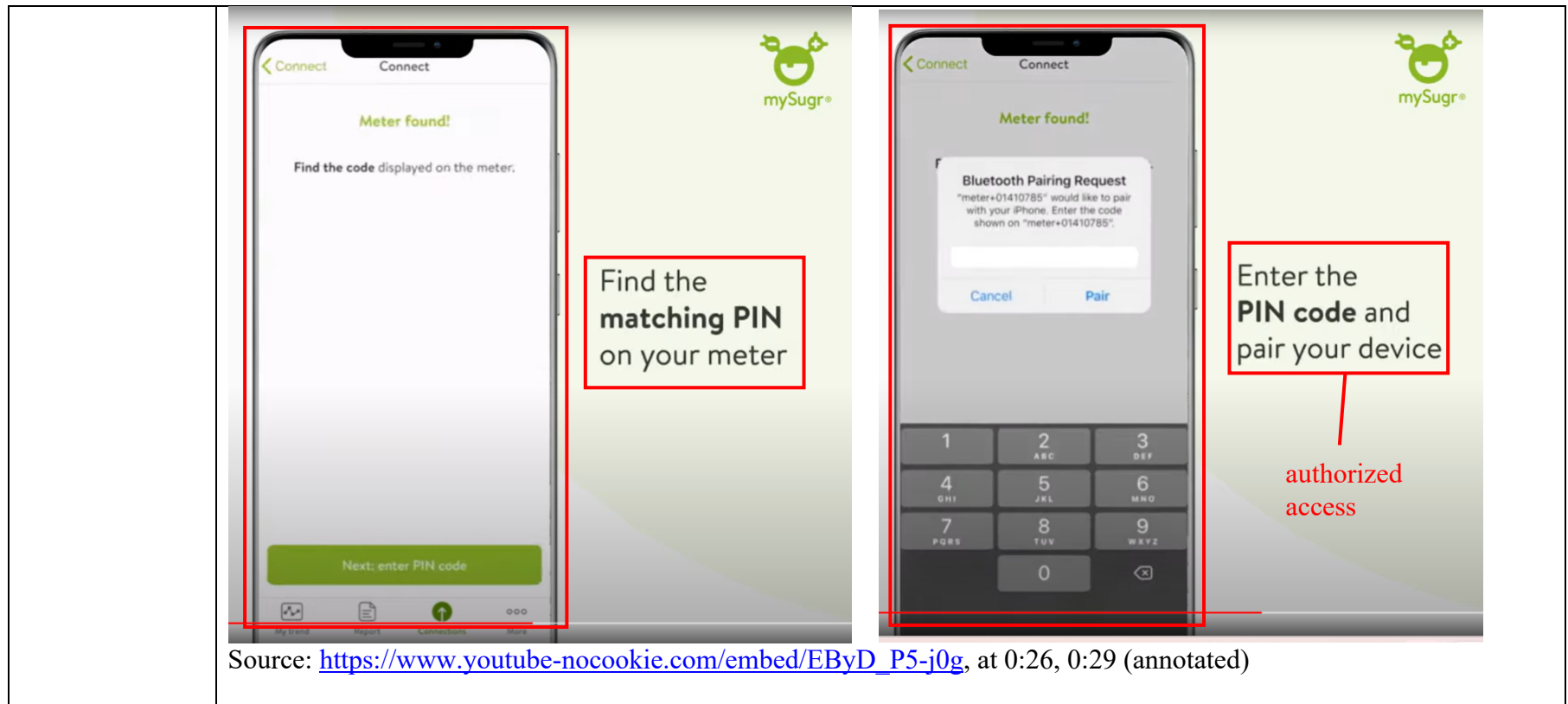


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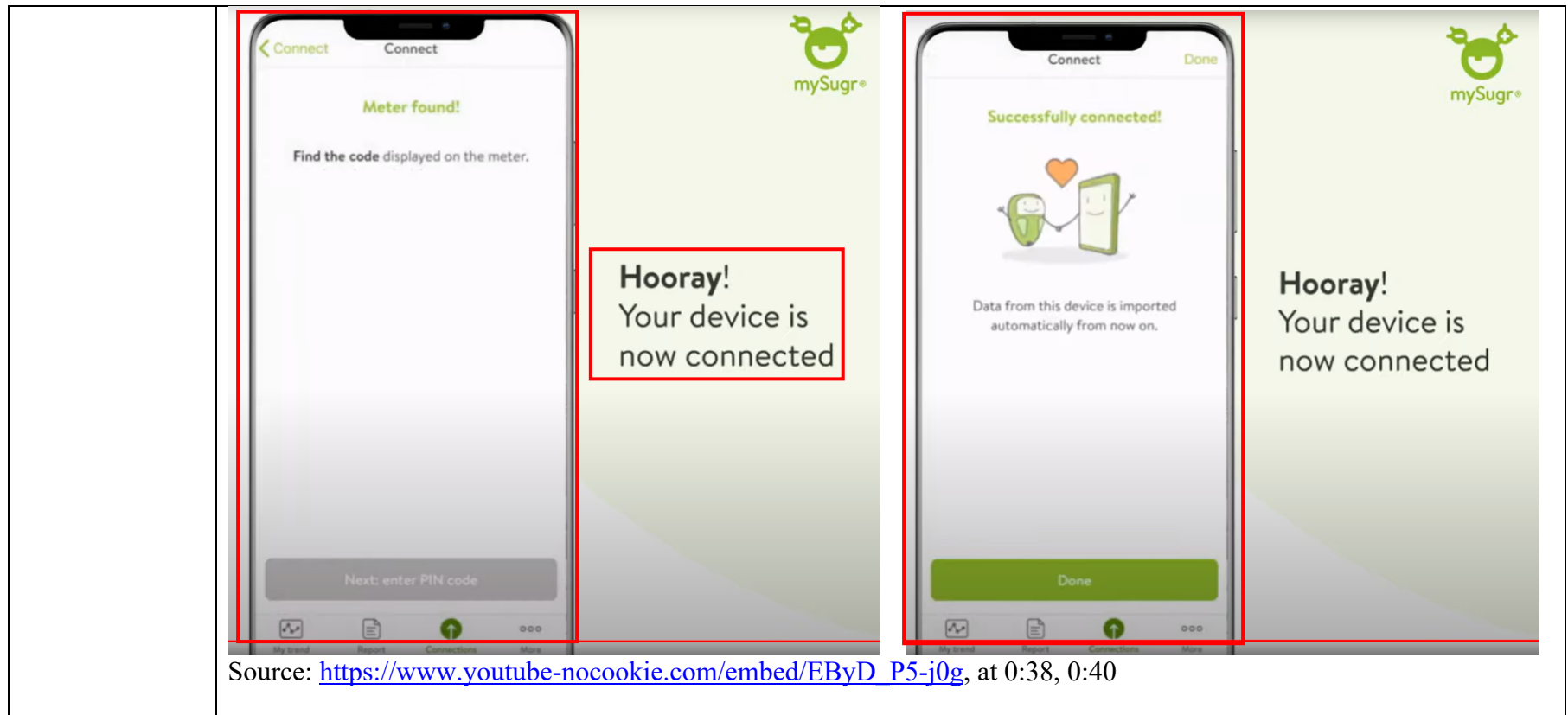


Exhibit 3 to the Complaint.

	 <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by the Defendant.</p>
<p>[21.3] at least one media node disposed within said wireless range, said media node including a</p>	<p>Company makes, uses, sells and/or offers to sell at least one media node disposable within said wireless range, said media node including a portable device being detectable by said at least one media terminal.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide ("media node") is portable device which employs the Bluetooth network ("interactive computer network") to pair with the mySugr app which is installed on the user's smartphone. The smartphone, on which</p>

Exhibit 3 to the Complaint.

portable device being detectable by said at least one media terminal,

the mySugr app is installed, detects the Accu-Chek Guides which is within its Bluetooth range. It would be apparent to a person of ordinary skill in the art that at least one media node disposable within the wireless range.

1 Personalized logging screen

Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

2 mySugr Analytics

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

3 Data Reports & Sharing

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.

media terminal

media node



Source: <https://www.accu-chek.com/products/mysugr> (annotated)

Exhibit 3 to the Complaint.

5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

Bluetooth Wireless Technology – The

meter uses *Bluetooth®* low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at

2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.


media
node

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70 (annotated)

Exhibit 3 to the Complaint.


CONNECT THE ACCU-CHEK GUIDE METER TO THE MYSUGR APP

1



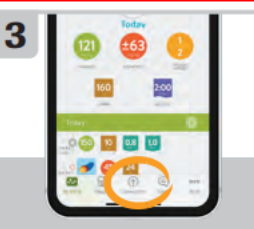
Using your smartphone, **download the mySugr app** from the App Store or Google Play and **create your mySugr account**.

2



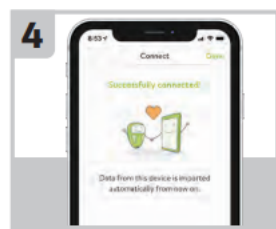
Turn on **Bluetooth®** wireless technology on your smartphone (if it's not on already).

3



Open the mySugr app, and select **Connections** on the menu. Select **Accu-Chek Guide**, and then **Connect now**. Follow the step-by-step directions for pairing.

4



After your meter is successfully connected to the mySugr app, **data from your device is imported** automatically. Now you can easily keep your diabetes data under control!

Source: <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download>, Page 1 of 2

Exhibit 3 to the Complaint.

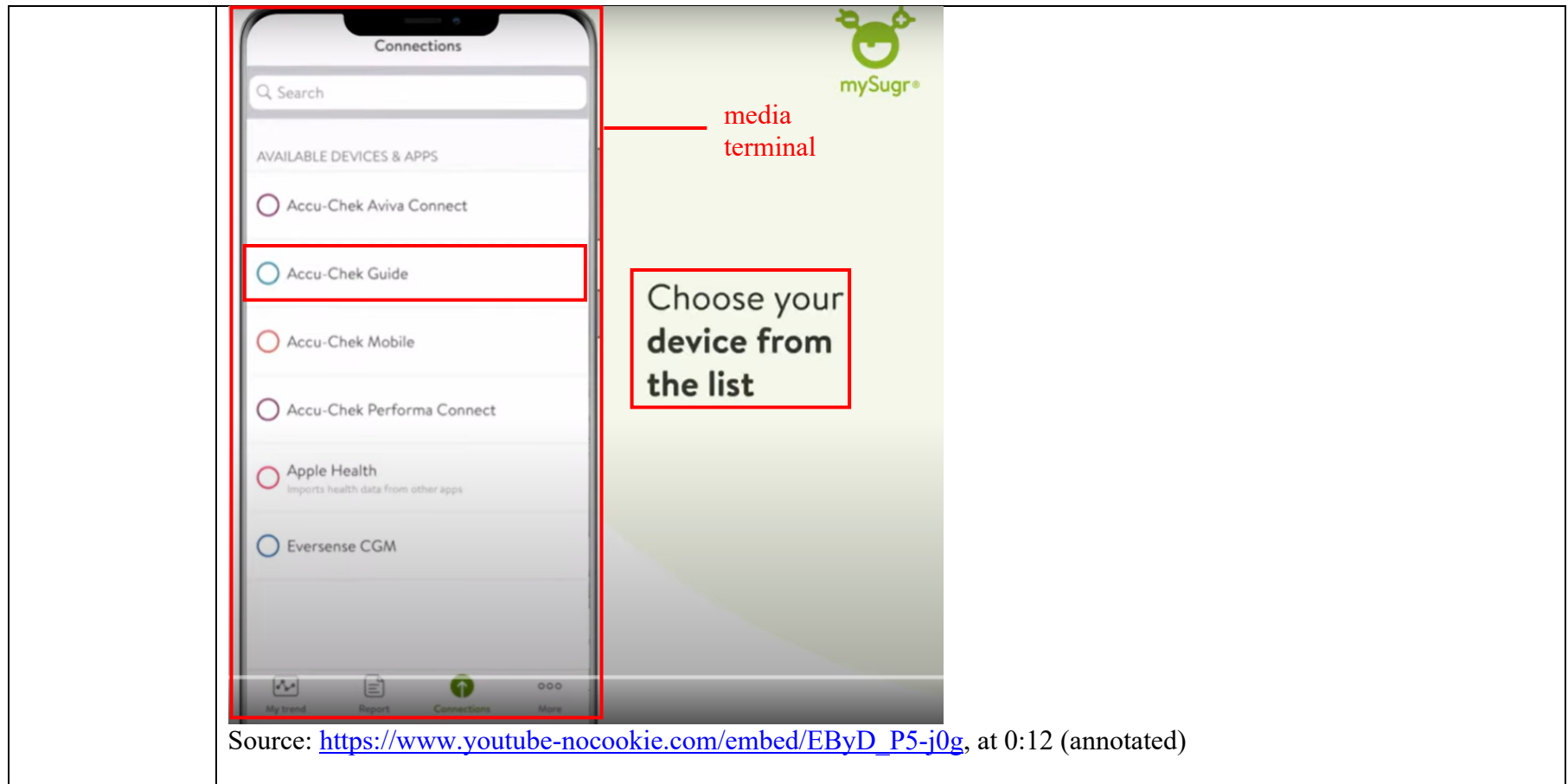
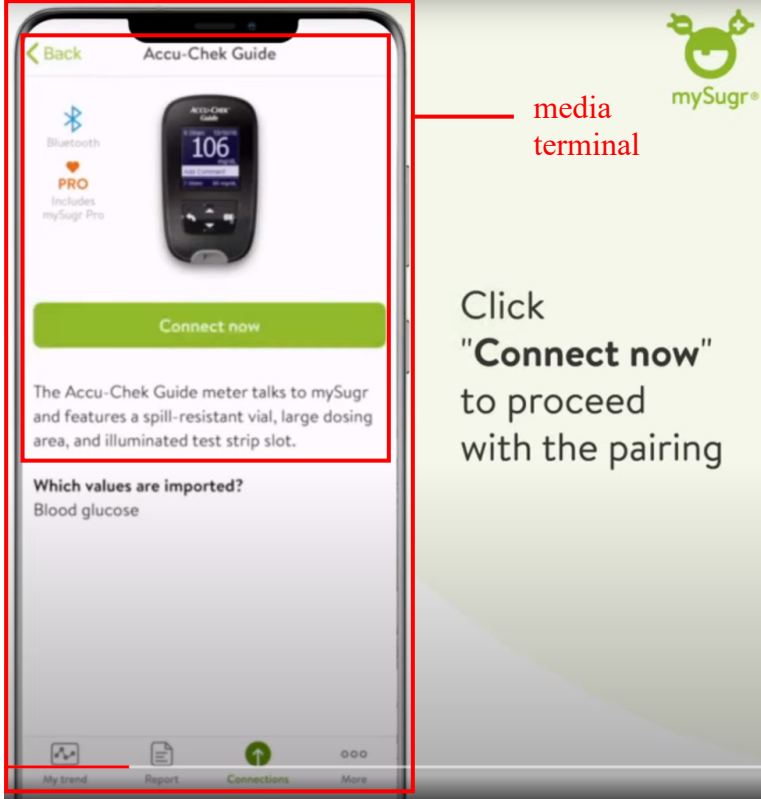


Exhibit 3 to the Complaint.



media terminal

Click
"Connect now"
to proceed
with the pairing

Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:17 (annotated)

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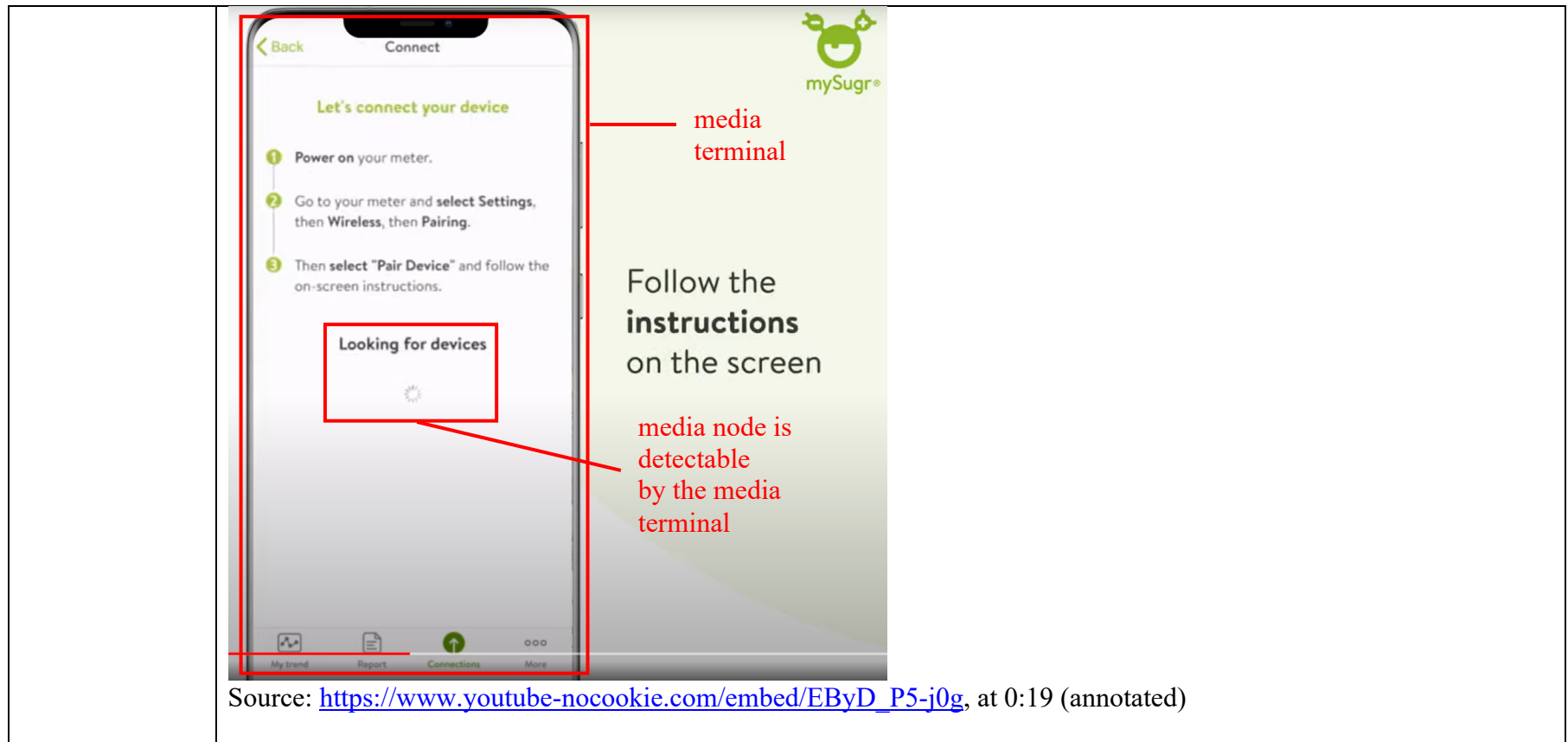


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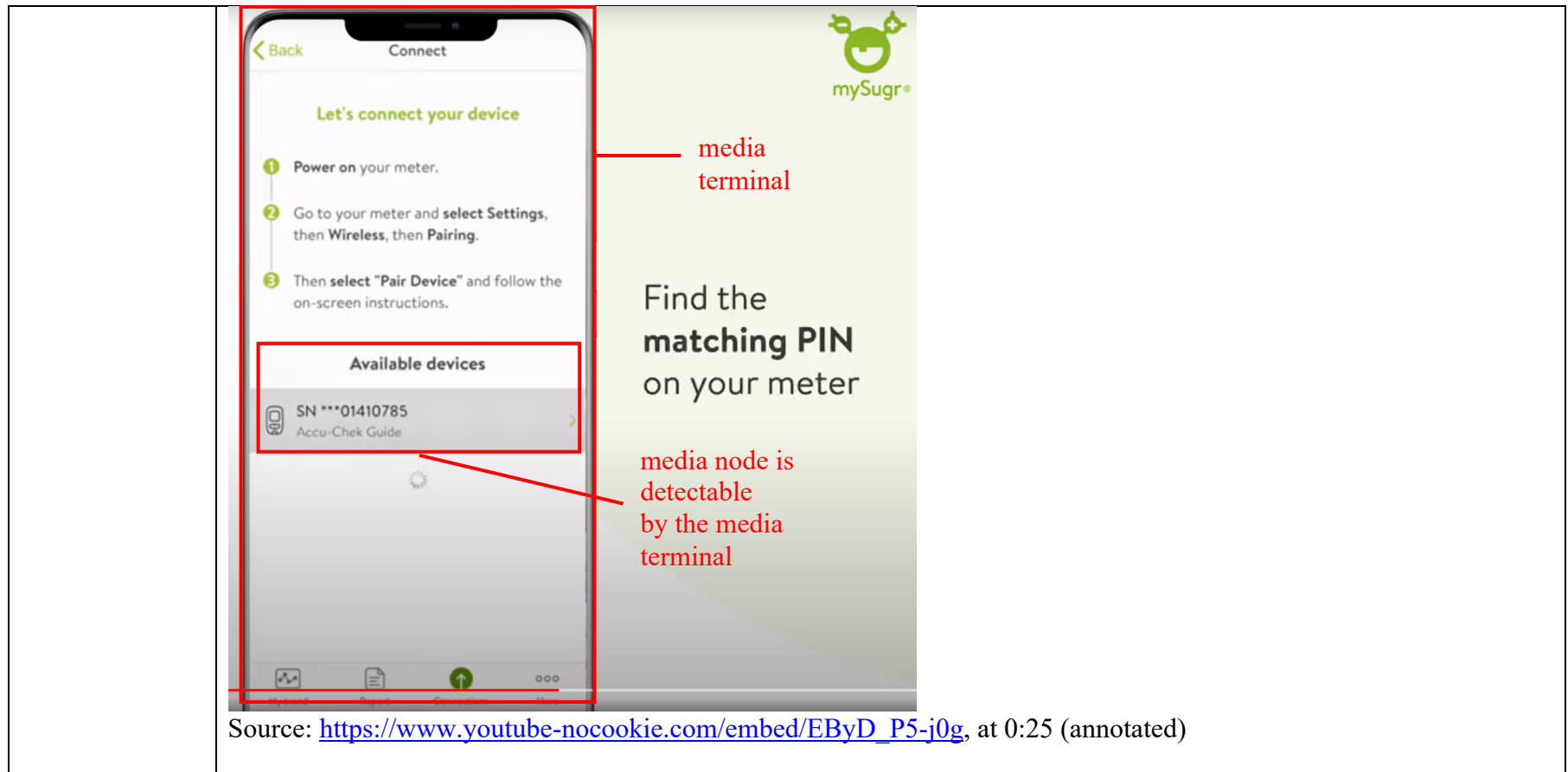


Exhibit 3 to the Complaint.


	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your <u>blood sugar readings</u> into the app, saving you tons of time.</p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none"> 1. If you are using an Apple device, make sure Bluetooth® is turned on. a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process. 2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.) 3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen. 4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it. 5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device. 6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
[21.4] at least one digital media file disposed on at least one of	<p>Company makes, uses, sells and/or offers to sell at least one digital media file initially disposed on at least one of said at least one media terminal or said at least one media node, said at least one media terminal structured to detect said at least one media node.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

<p>said at least one media terminal or said at least one media node, said at least one media terminal structured to detect said at least one media node,</p>	<p>For example, the Accu-Chek Guide blood glucose meter is used to measures the blood sugar levels (“digital media file”). These measured blood sugar levels are saved in the Accu-Chek Guide meter (“digital media filedisposed on at least one of said at least one media terminal or said media node”). The mySugr app installed in the user’s smartphone detects (“at least one media terminal structured to detect said at least one media node”) the Accu-Chek Guide meter through Bluetooth and establishes a connection (gets paired).</p> <p>The Accu-Chek Guide System</p> <p>The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.</p> <p>The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.</p> <p>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70</p>
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Exhibit 3 to the Complaint.

	<div><div>5 mySugr Connectivity</div><div>Take the stress out of diabetes management by pairing your <u>Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</u></div><div>Source: https://www.accu-chek.com/products/meters/guide</div></div>	
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Exhibit 3 to the Complaint.


	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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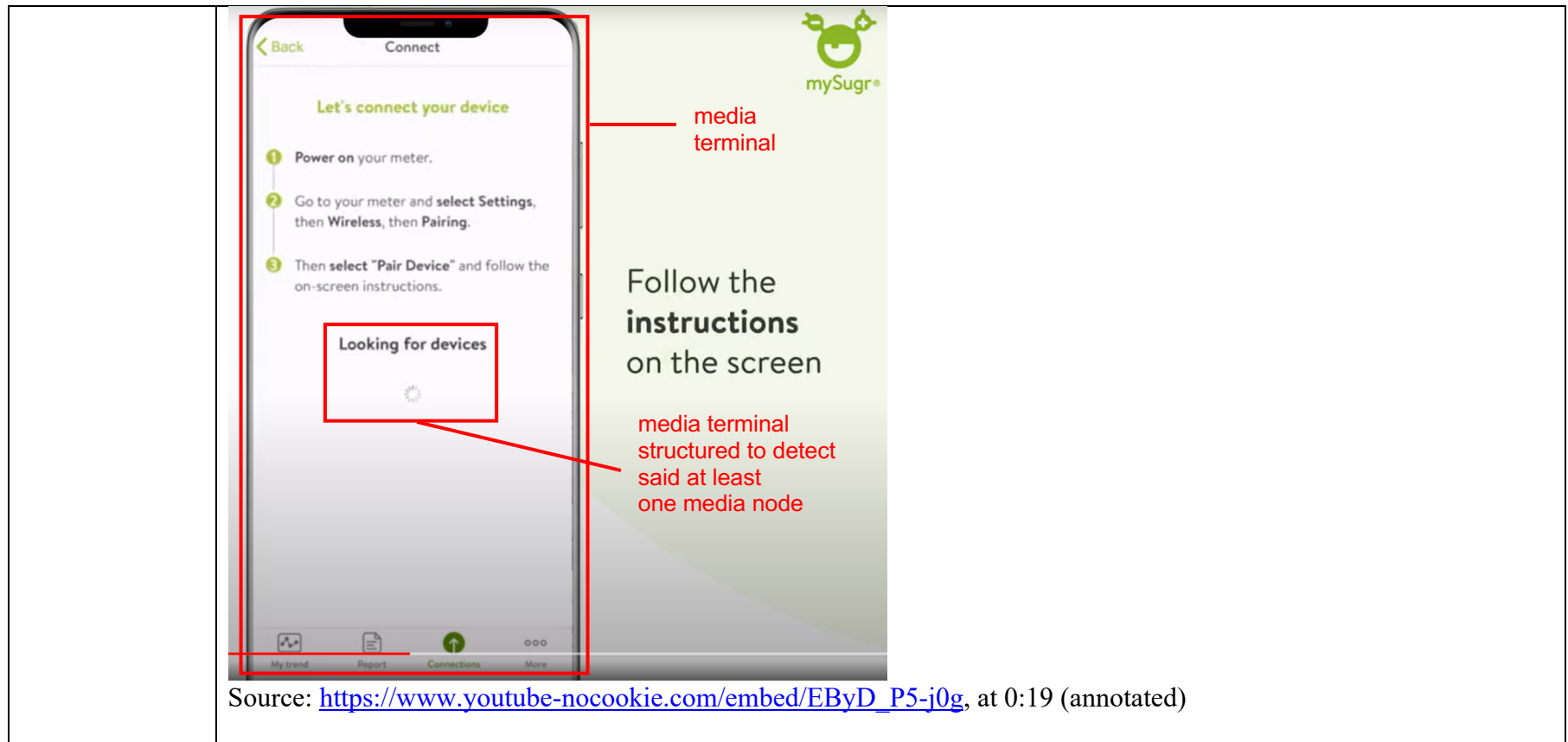


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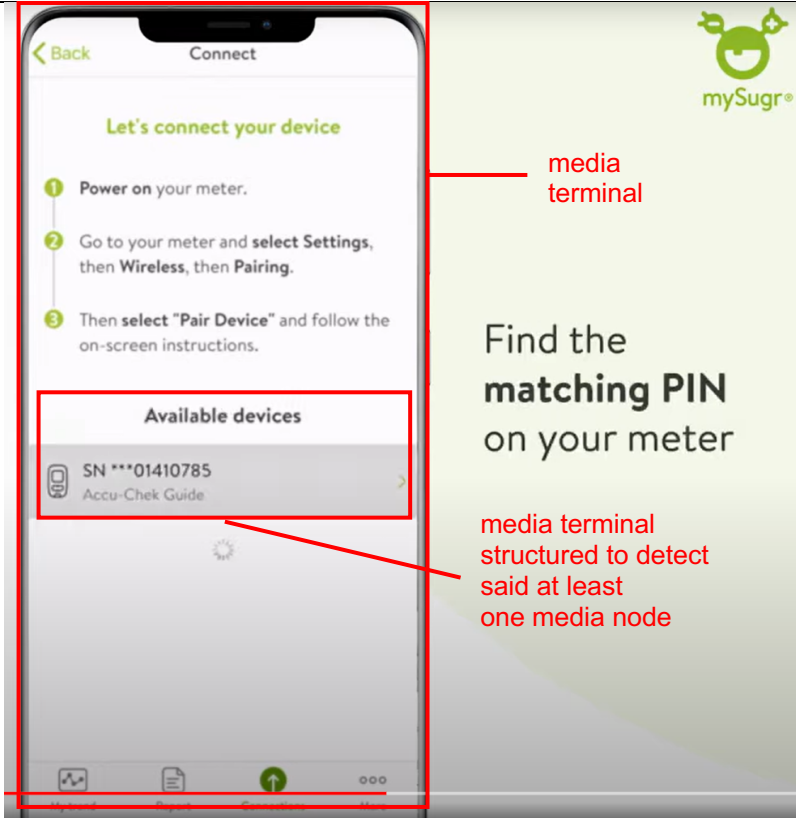
	 <p>media terminal</p> <p>media terminal structured to detect said at least one media node</p> <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:25 (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[21.5] a communication link structured to dispose said at least one</p>	<p>Company makes, uses, sells and/or offers to sell a communication link structured to dispose said at least one media terminal and said at least one media node in a communicative relation with one another via said interactive computer network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

media terminal and said at least one media node in a communicative relation with one another via said interactive computer network,	<p>For example, mySugr app installed on the user’s smartphone and Accu-Chek Guide establishes a connection through Bluetooth pairing. This process creates a Bluetooth channel (“communication link structured to dispose”) between Accu-Chek Guide meter and mySugr app for the transfer of the measured blood sugar levels (“a communicative relation with one another via said interactive computer network”).</p> <div><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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Exhibit 3 to the Complaint.

Bluetooth Wireless Technology – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
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Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

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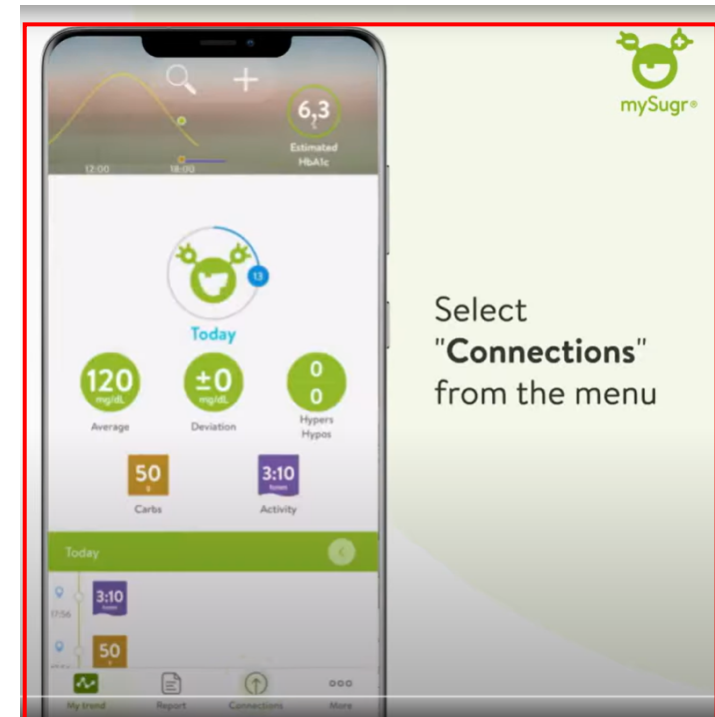
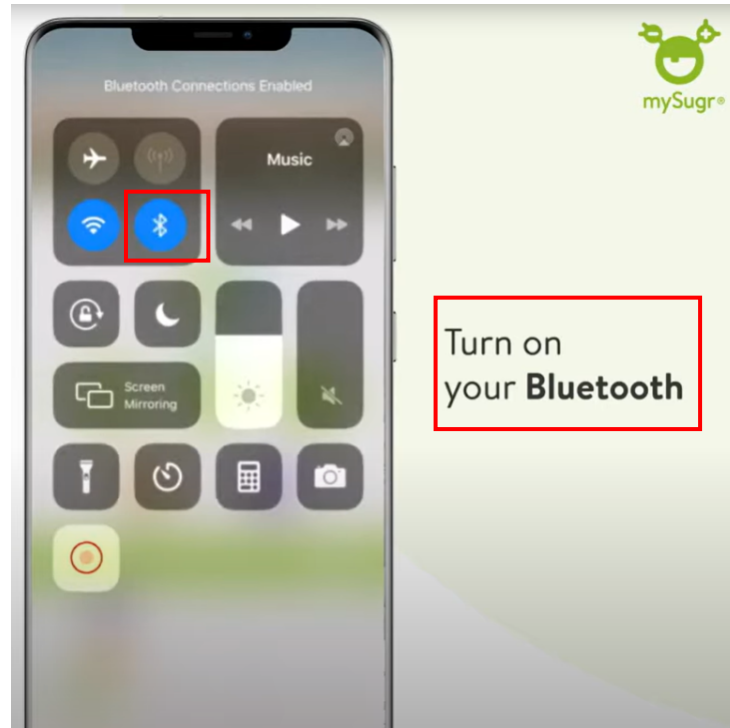
	<div><h3>How can I transfer Accu-Chek meter data to mySugr? </h3><p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p><p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p><div><ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen</div><p>Source: https://www.accu-chek.com/support/products/guide</p></div>
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Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:07, 0:09

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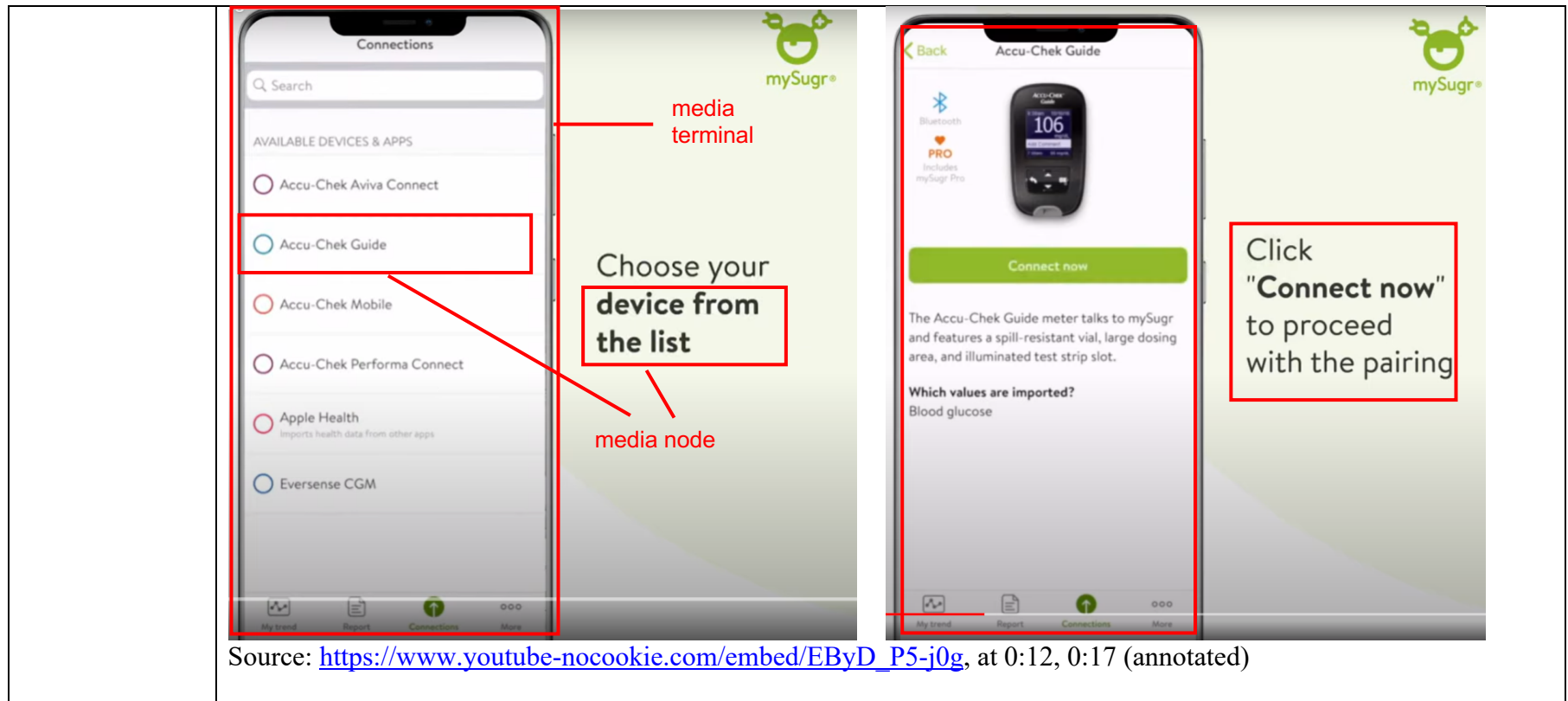


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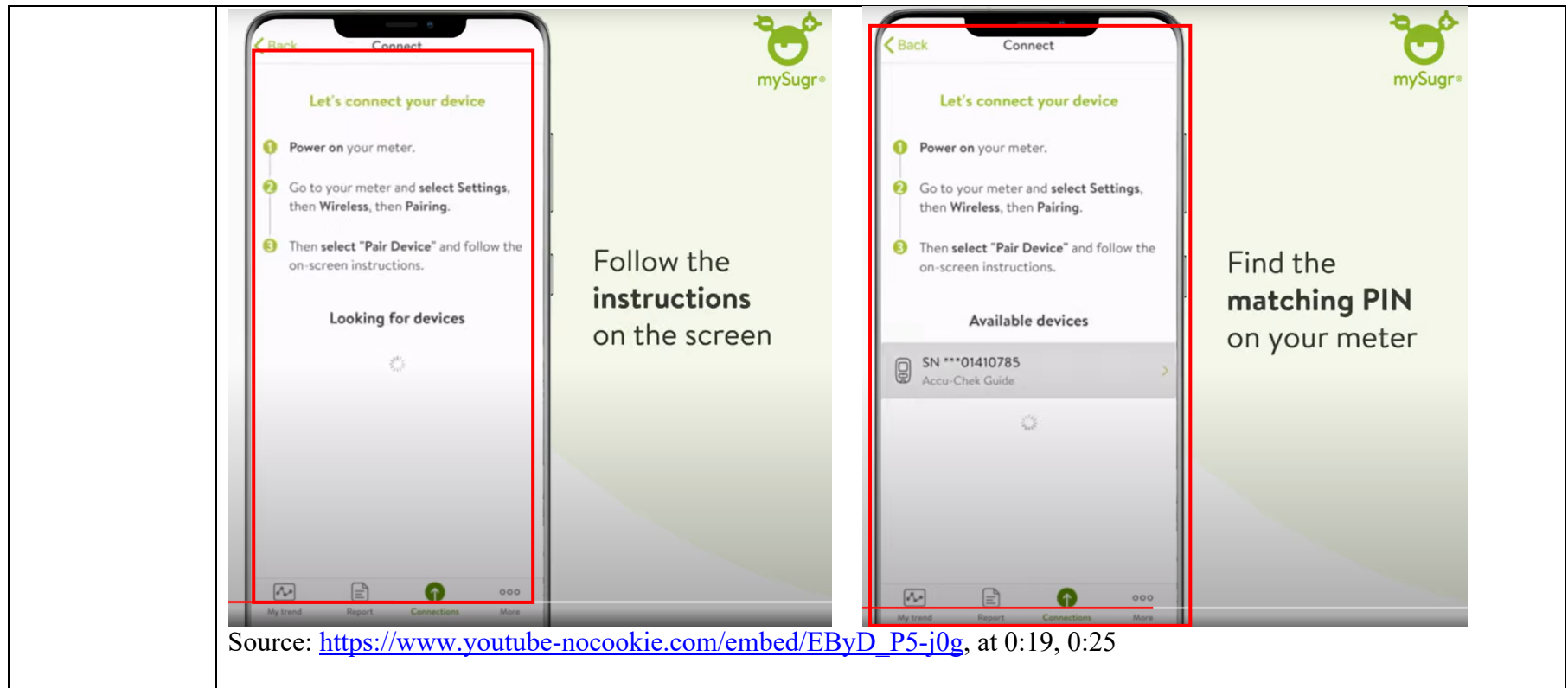


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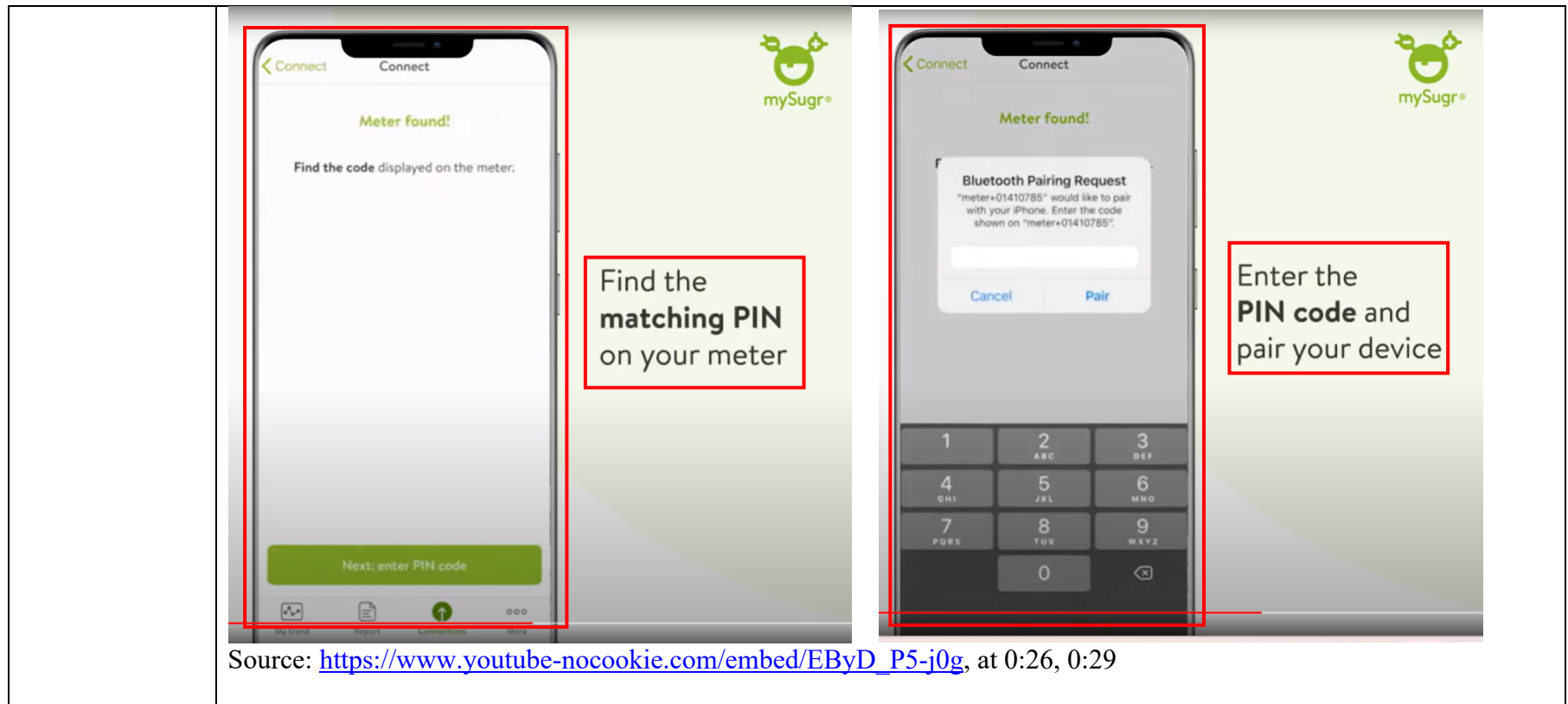


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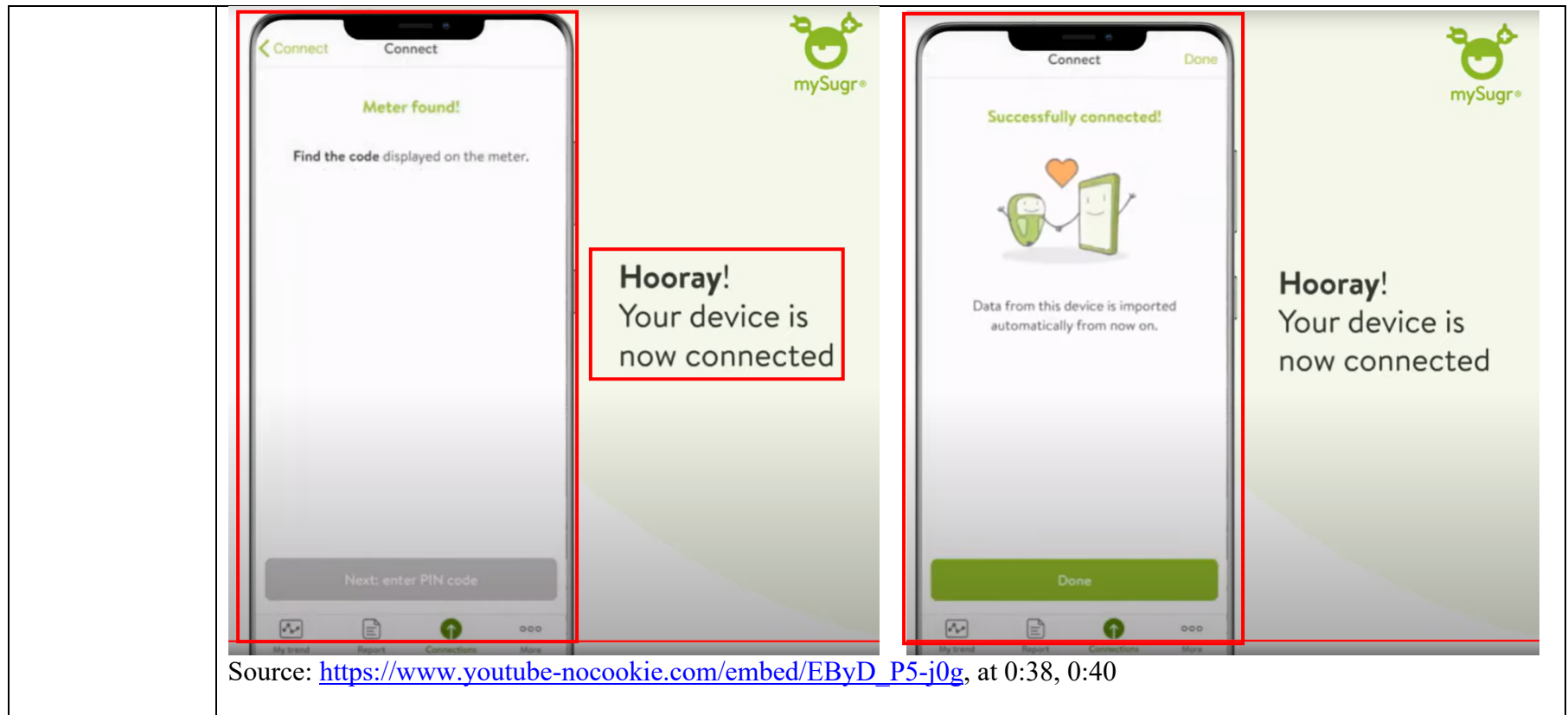


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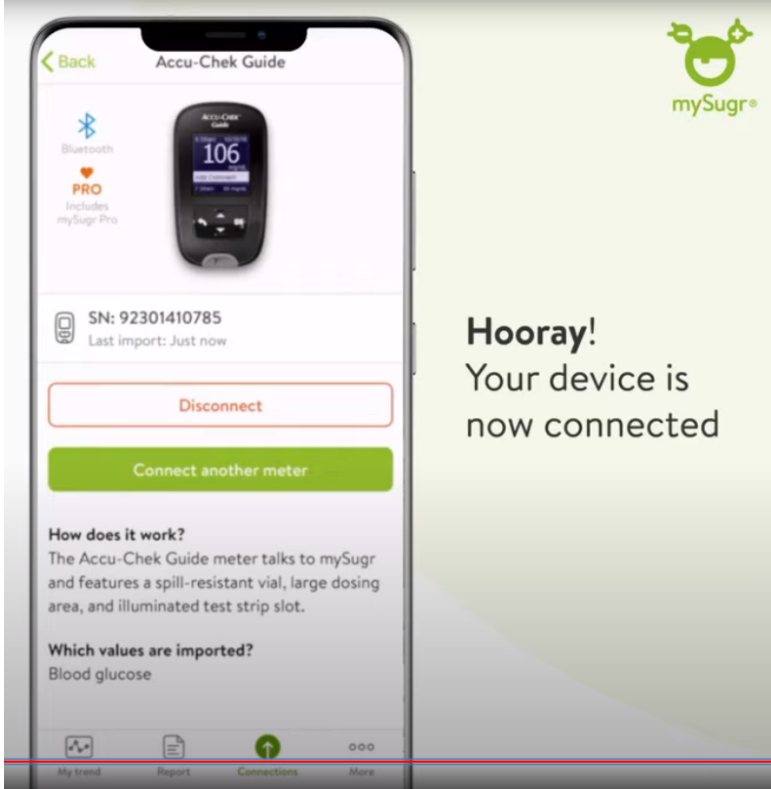
	 <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[21.6] said communication link being initiated by said at least one media terminal,</p>	<p>Company makes, uses, sells and/or offers to sell said communication link being initiated by said at least one media terminal.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the mySugr app, installed on the smartphone, initiates Bluetooth pairing to establish the communication channel with the Accu-Chek Guide.</p>

Exhibit 3 to the Complaint.


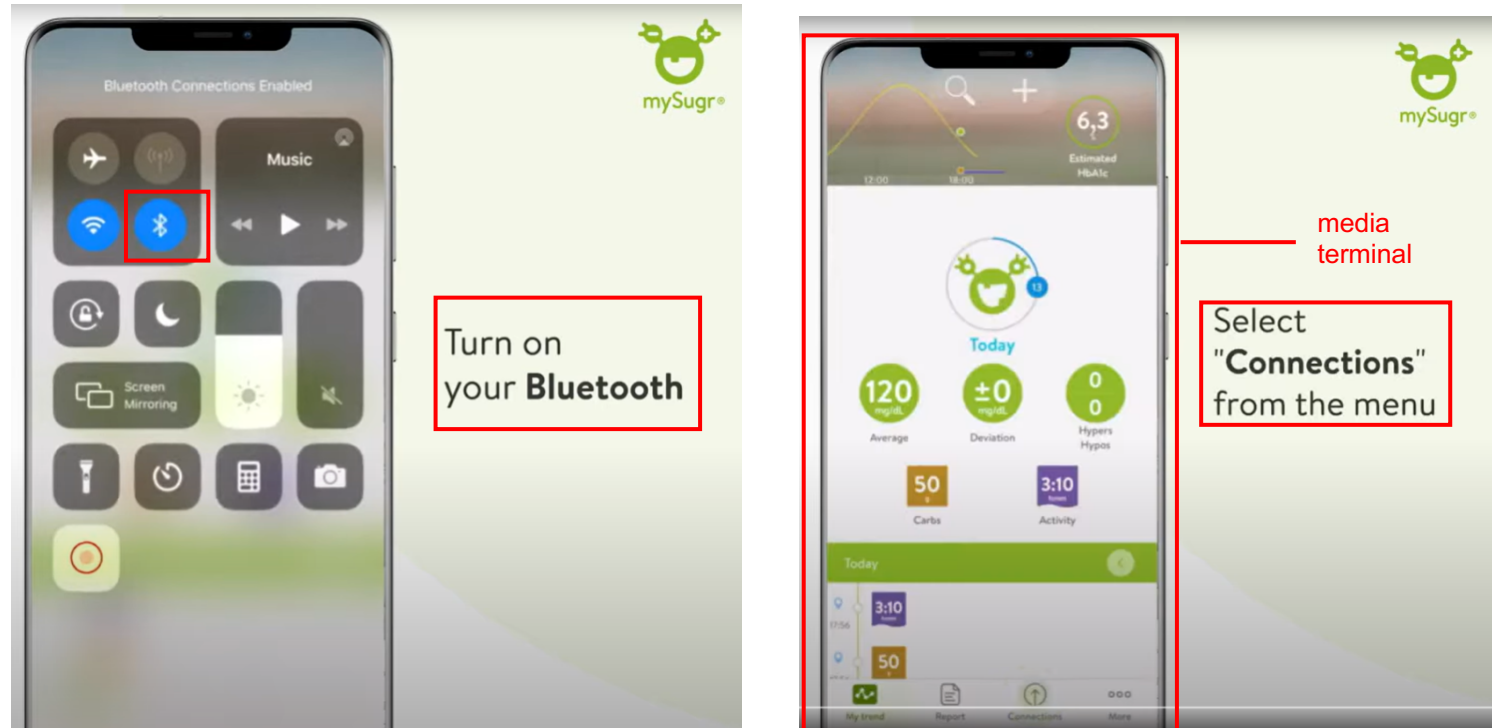
	<div><h3>How can I transfer Accu-Chek meter data to mySugr? </h3><p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p><p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p><div><ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter — Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect — and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.</div><ol style="list-style-type: none">6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<p>Source: https://www.accu-chek.com/support/products/guide</p></div>
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Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:07, 0:09 (annotated)

Exhibit 3 to the Complaint.

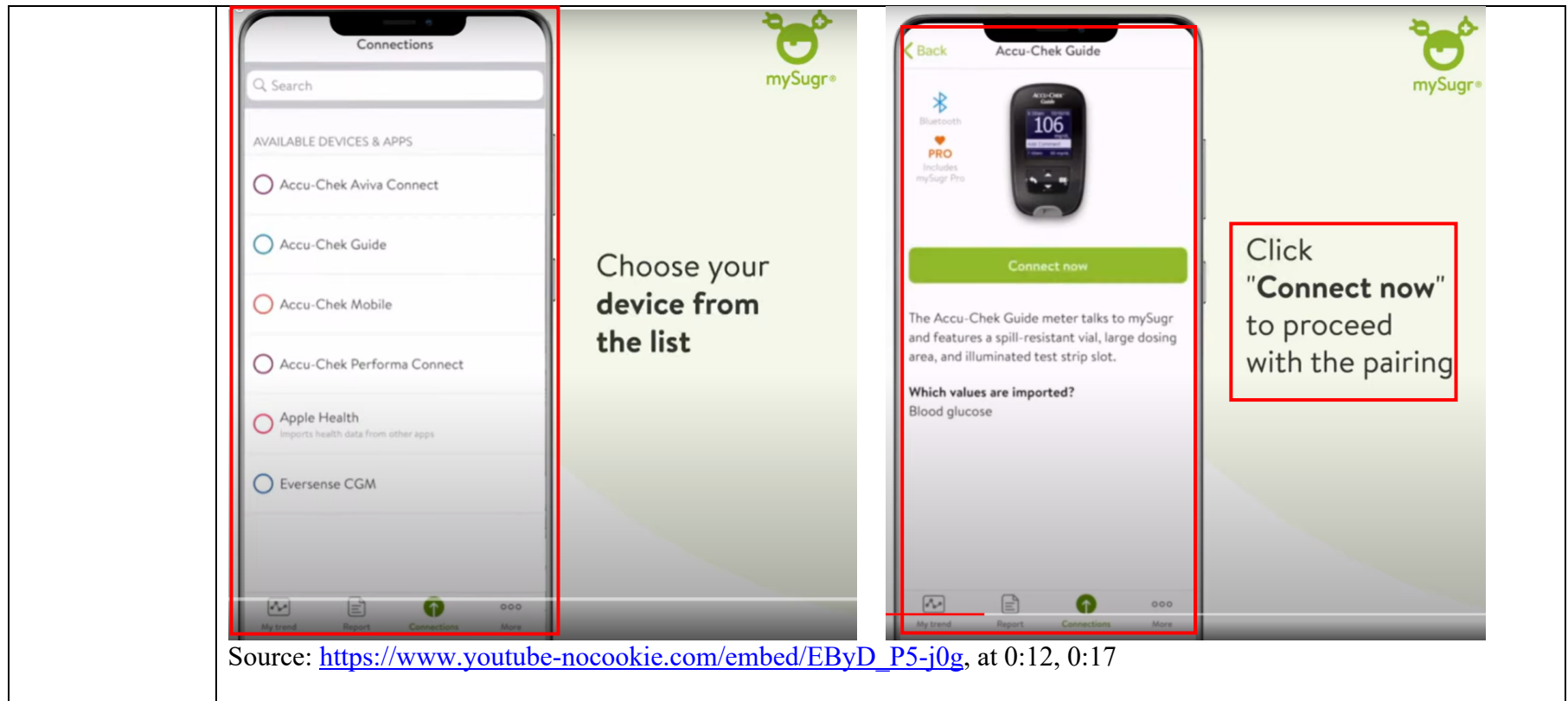


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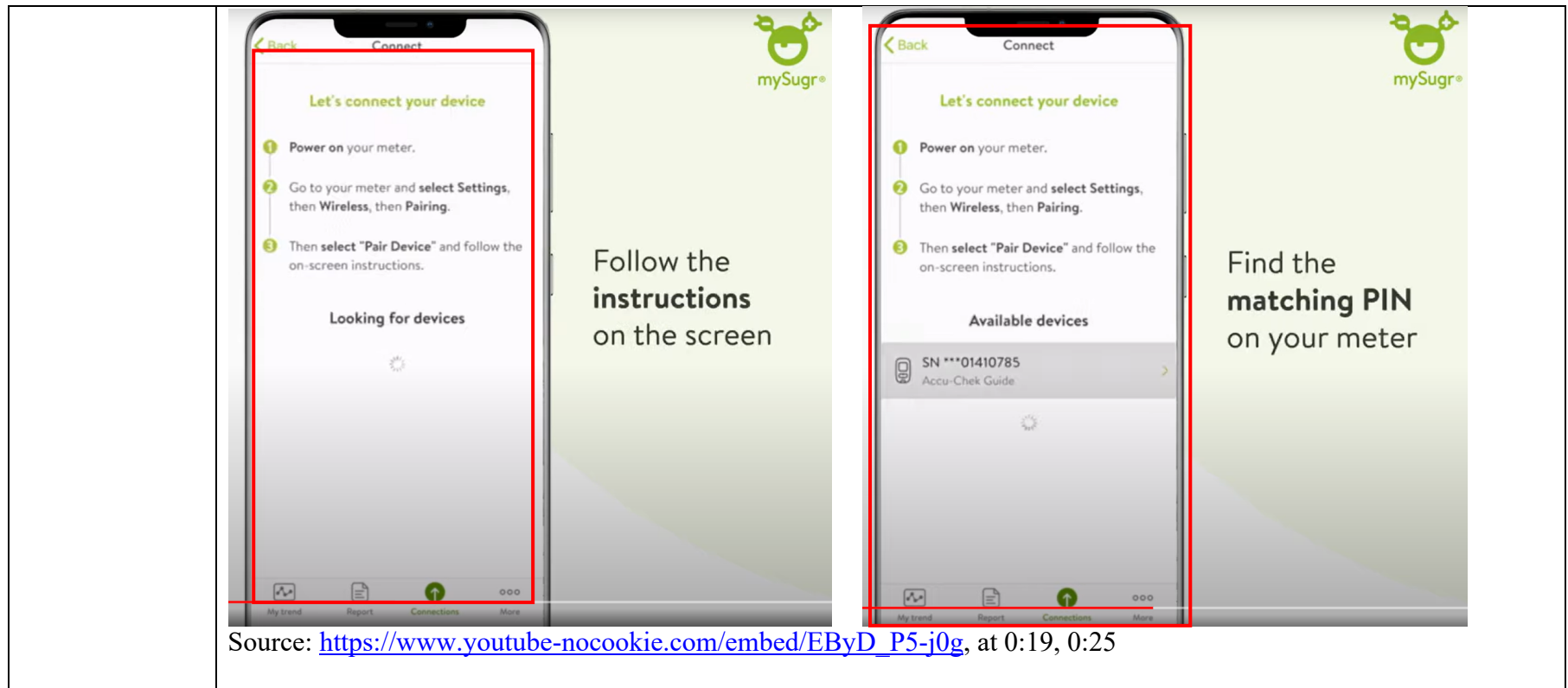


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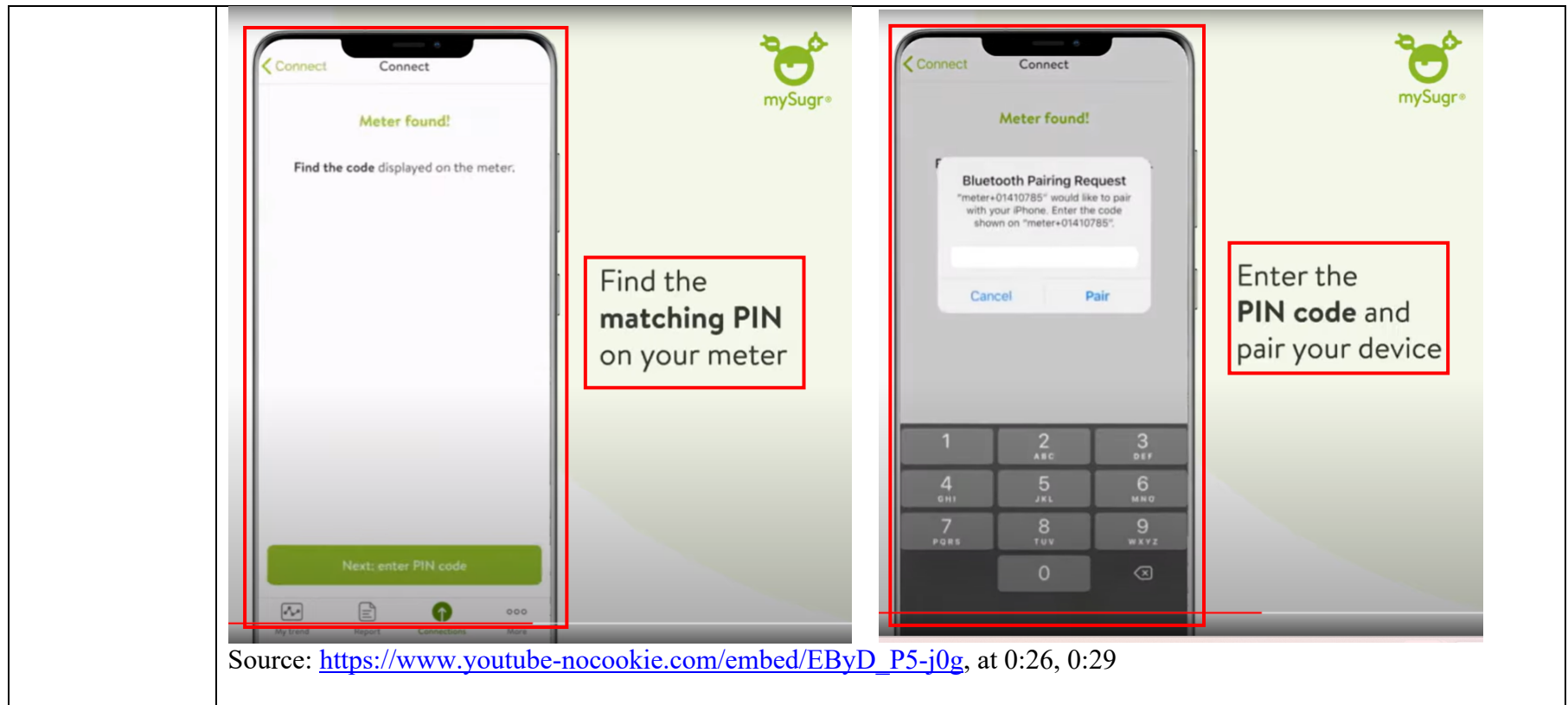


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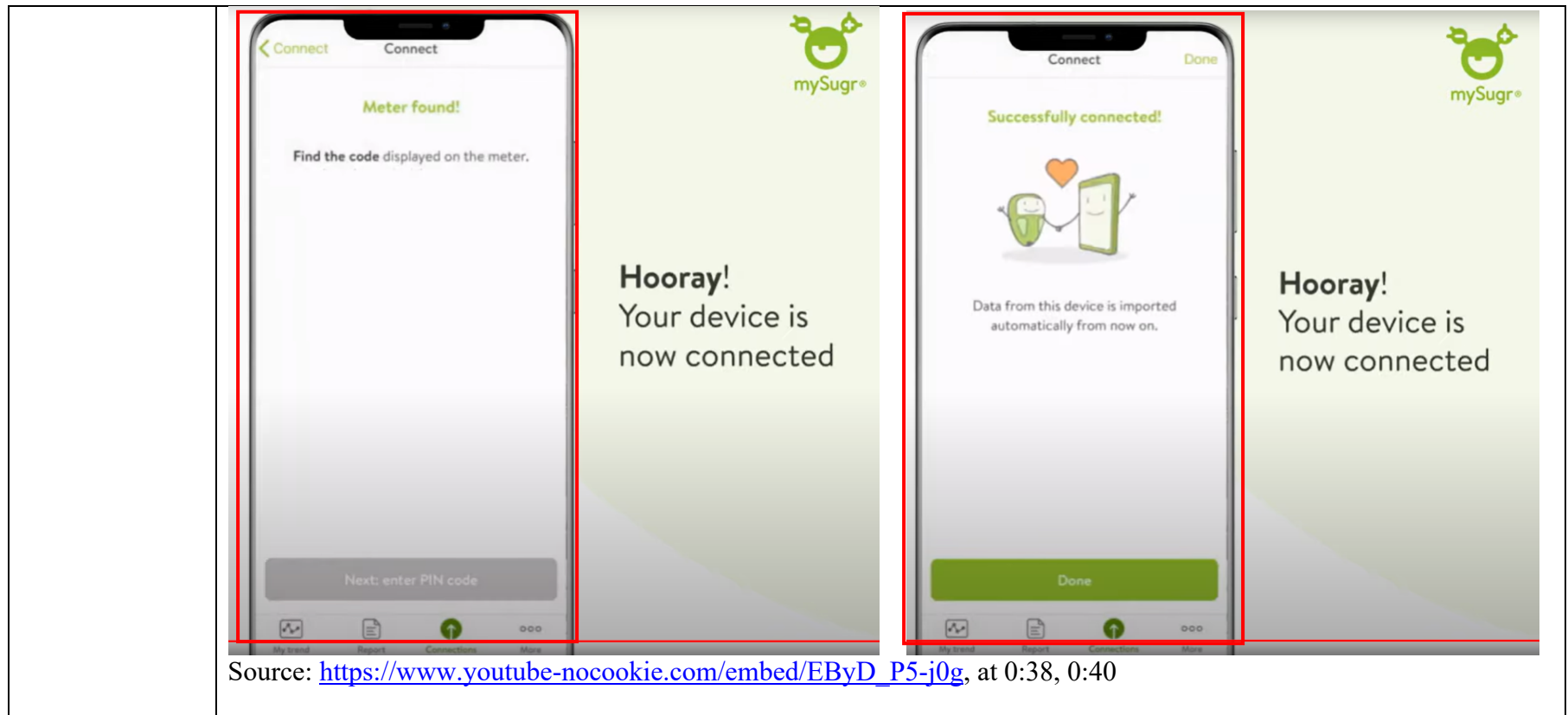
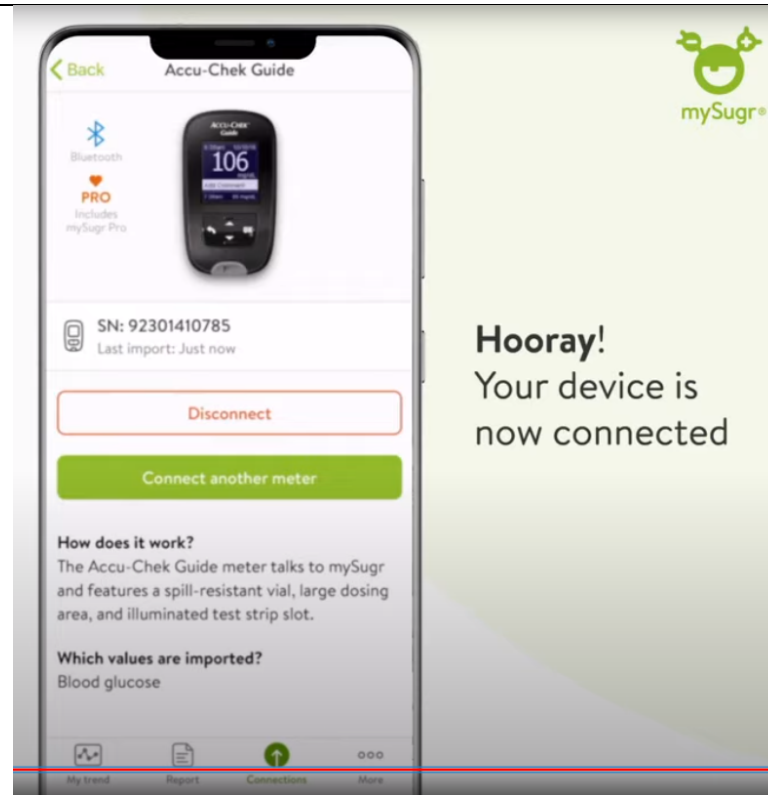


Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[21.7] said at least one digital media file structured to be selectively transmitted between said at

Defendant makes, uses, sells and/or offers to sell said at least one digital media file structured to be selectively transmitted between said at least one media node and said at least one media terminal.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

Exhibit 3 to the Complaint.

<p>least one media node and said at least one media terminal, wherein</p>	<p>For example, after establishing a Bluetooth channel between the mySugr app installed on the user's smartphone and the Accu-Chek Guide, the Accu-Chek Guide ("media node") sends the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone ("media terminal").</p> <div data-bbox="443 391 1398 708"><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</u></p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p> <p>Bluetooth Wireless Technology – The meter uses <i>Bluetooth®</i> low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that</p> <ol style="list-style-type: none">1. utilizes Bluetooth low energy technology,2. it is paired with, and3. has an application that can accept the meter data.
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Exhibit 3 to the Complaint.

	<p>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70</p> <p>How can I transfer Accu-Chek meter data to mySugr? ^</p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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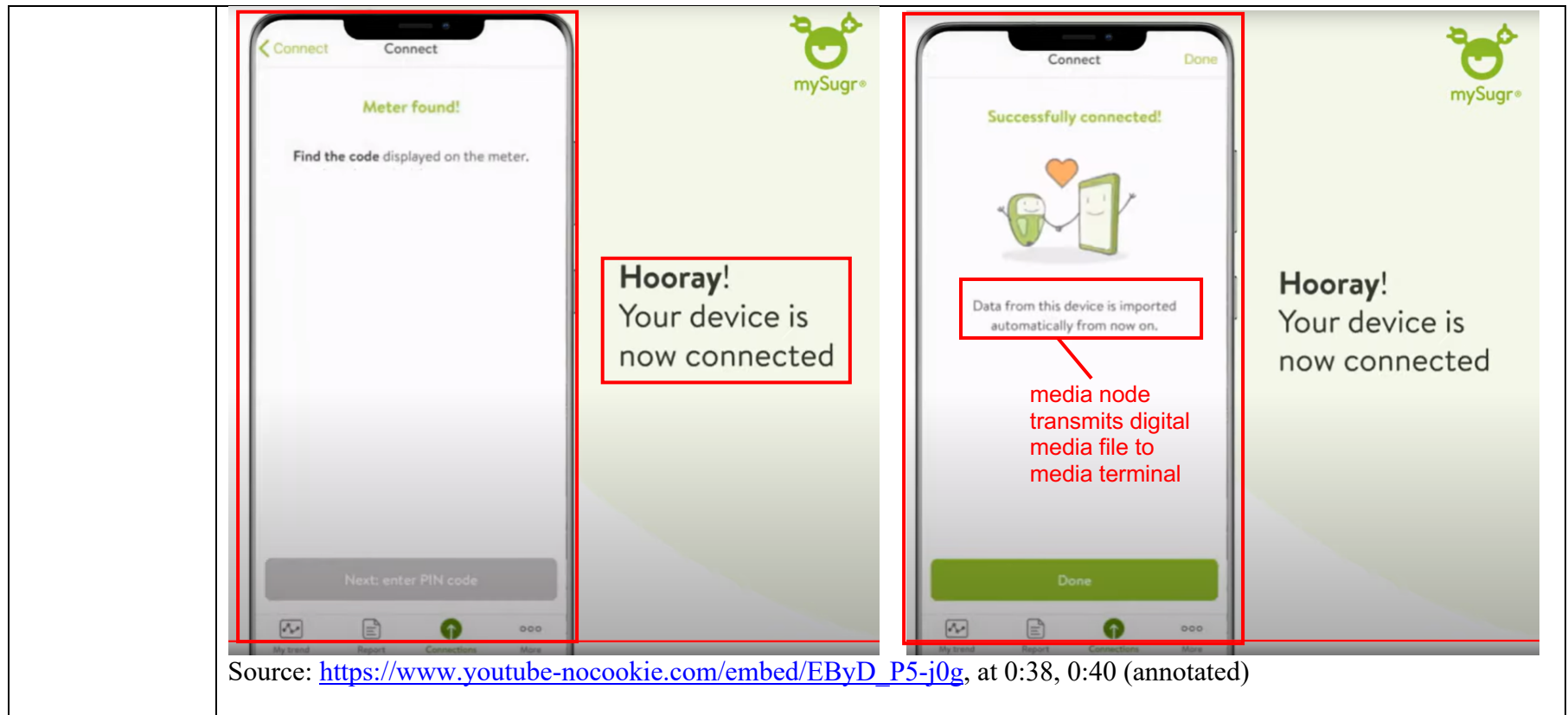


Exhibit 3 to the Complaint.

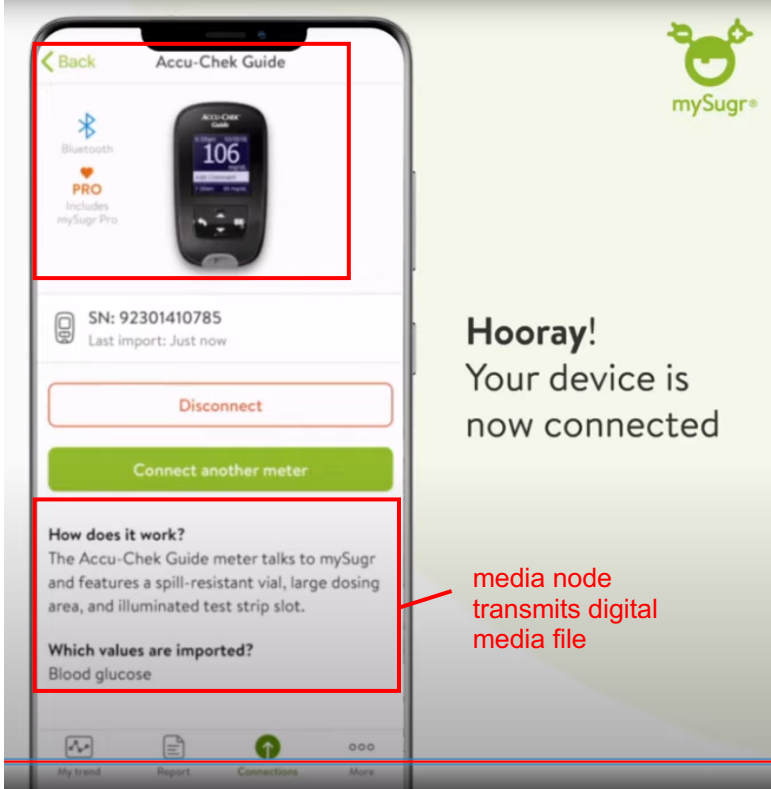
	 <p>Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:43 (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[21.8] said communication link is structured to bypass at least one</p>	<p>Company makes, uses, sells and/or offers to sell said communication link is structured to bypass at least one media terminal security measure.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>The Accu-Chek Guide meter and the mySugr app do not require users to input a PIN (“security measure”) every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices</p>

Exhibit 3 to the Complaint.

media terminal security measure.	<p>automatically exchange data without requiring users to re-enter the PIN (“bypass at least one media terminal security measure”). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypasses the security measure.</p> <div><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


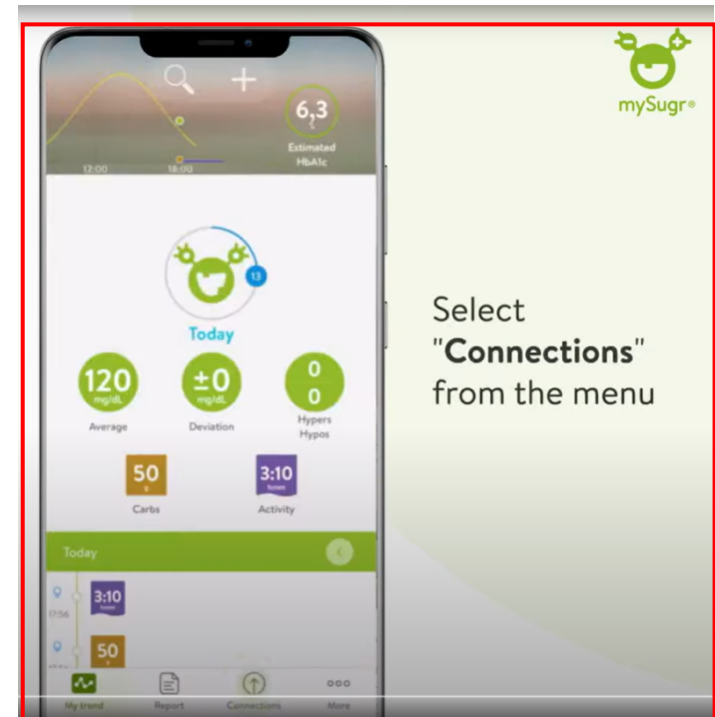
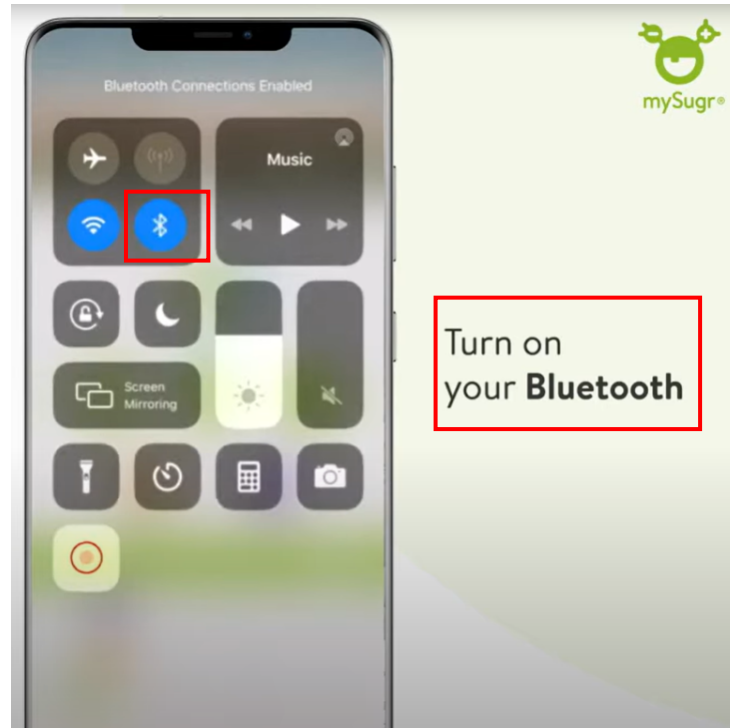
	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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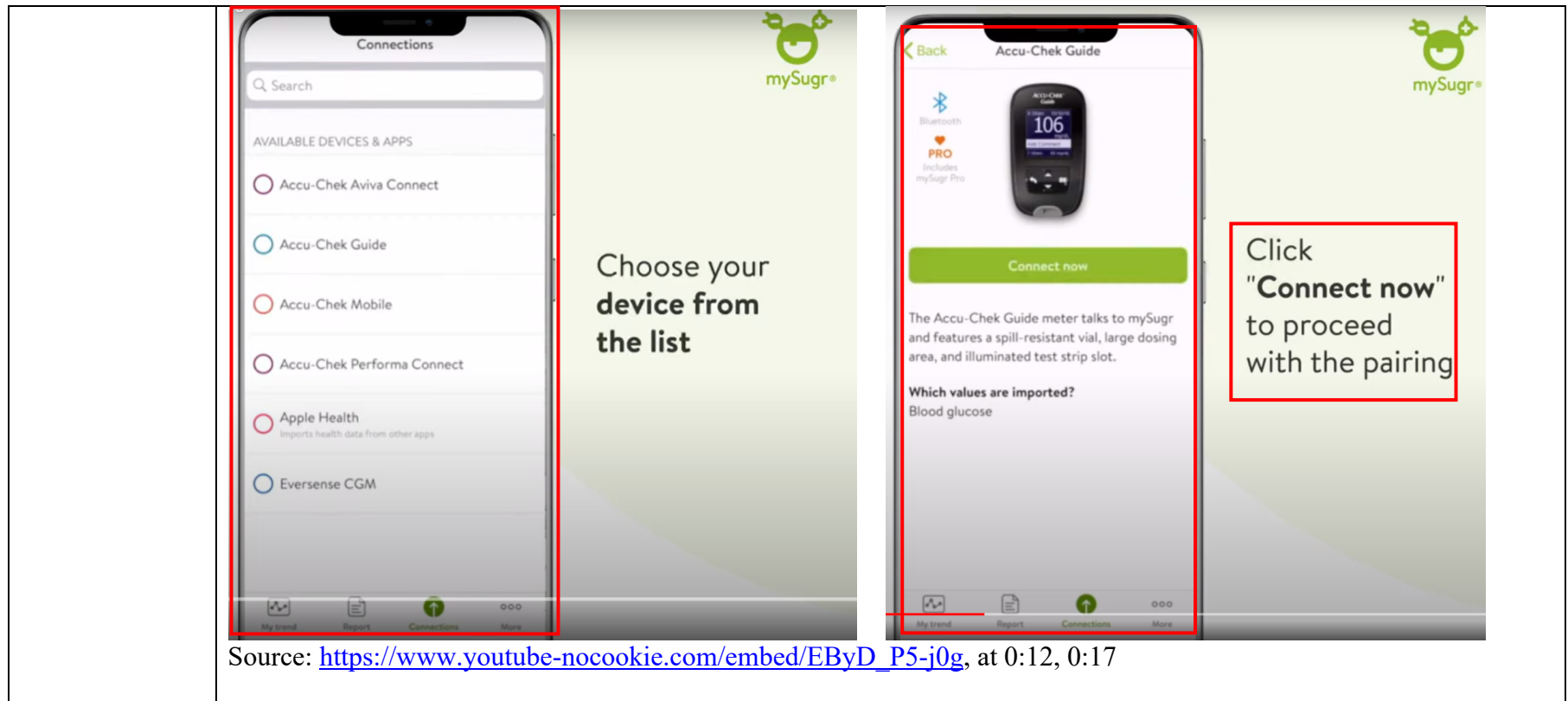


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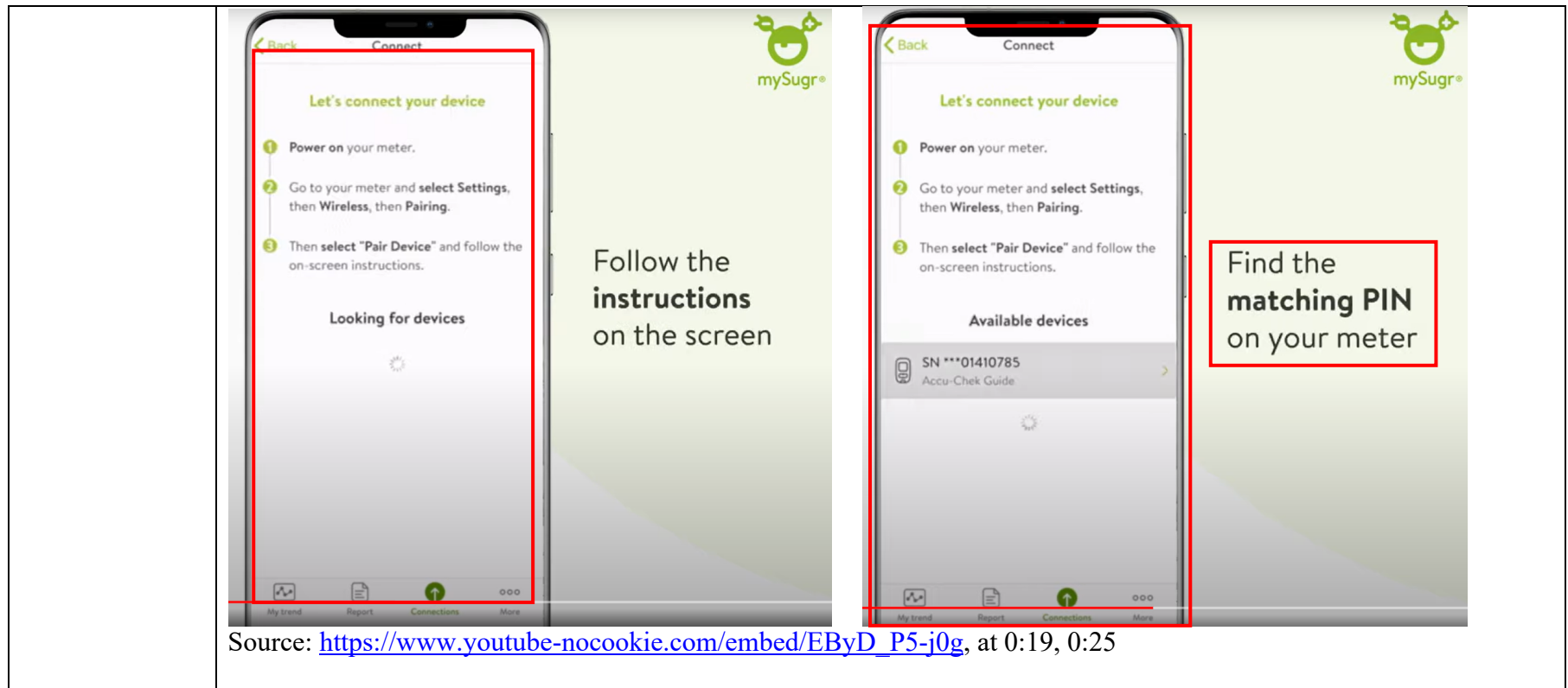


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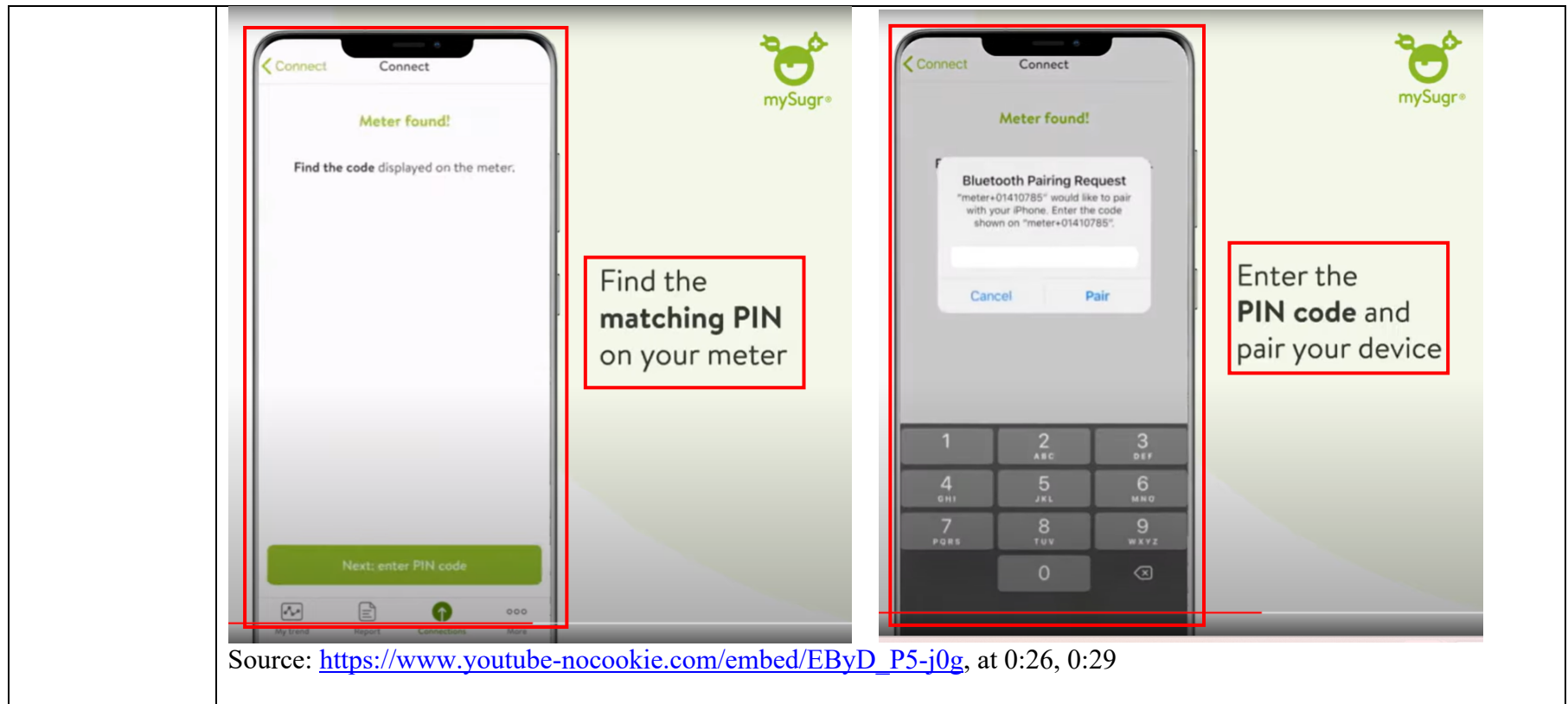


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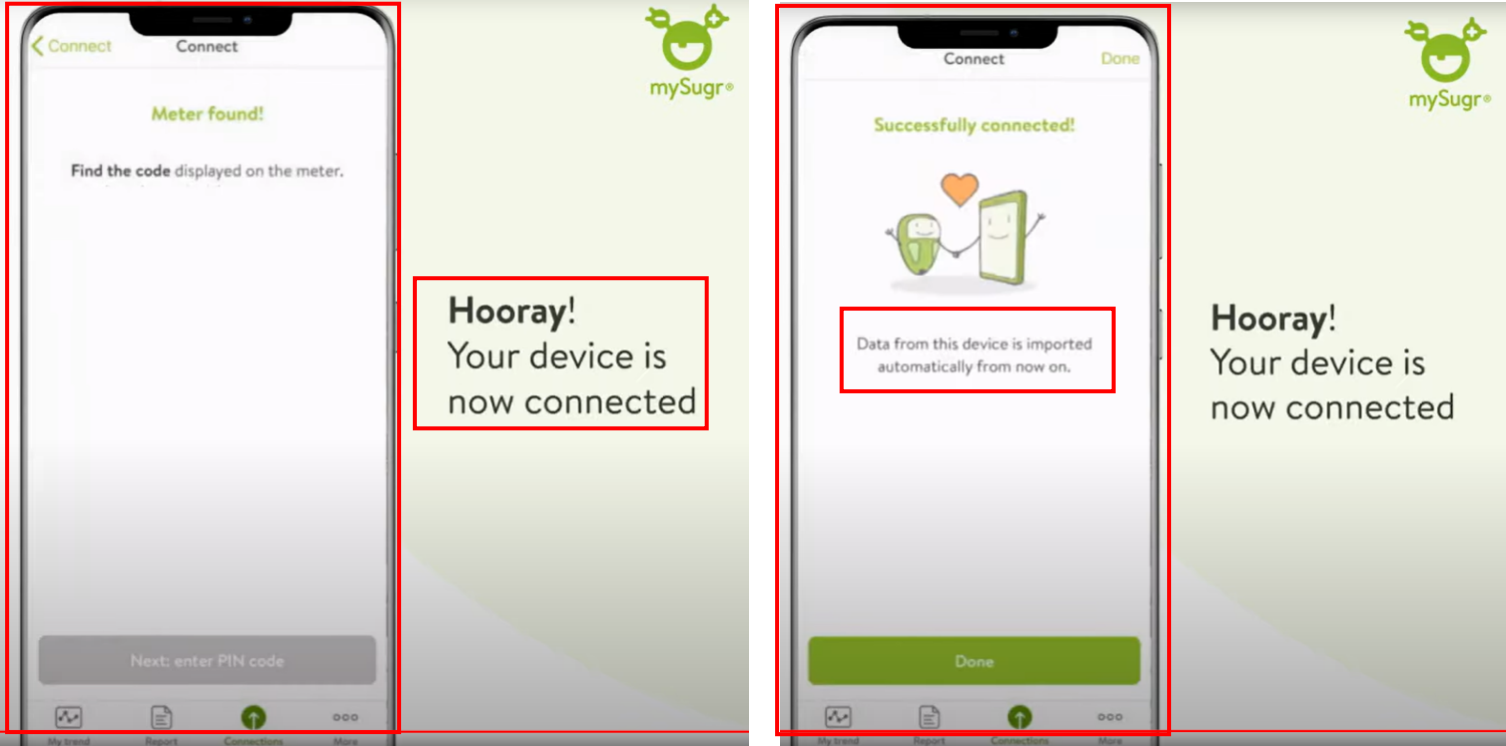
	 <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Defendant.</p>
<p>[22] The digital media communication protocol recited in claim 21 wherein</p>	<p>Company makes, uses, sells and/or offers to sell said communication link is structured to bypass at least one wireless range security measure.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>The Accu-Chek Guide meter and the mySugr app do not require users to input a PIN (“security measure”) every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN (“bypass at least one wireless range security</p>

Exhibit 3 to the Complaint.

<p>said communication link is structured to bypass at least one wireless range security measure.</p>	<p>measure”). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypasses the security measure.</p> <div data-bbox="443 380 1398 699"><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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Bluetooth Wireless Technology – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
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Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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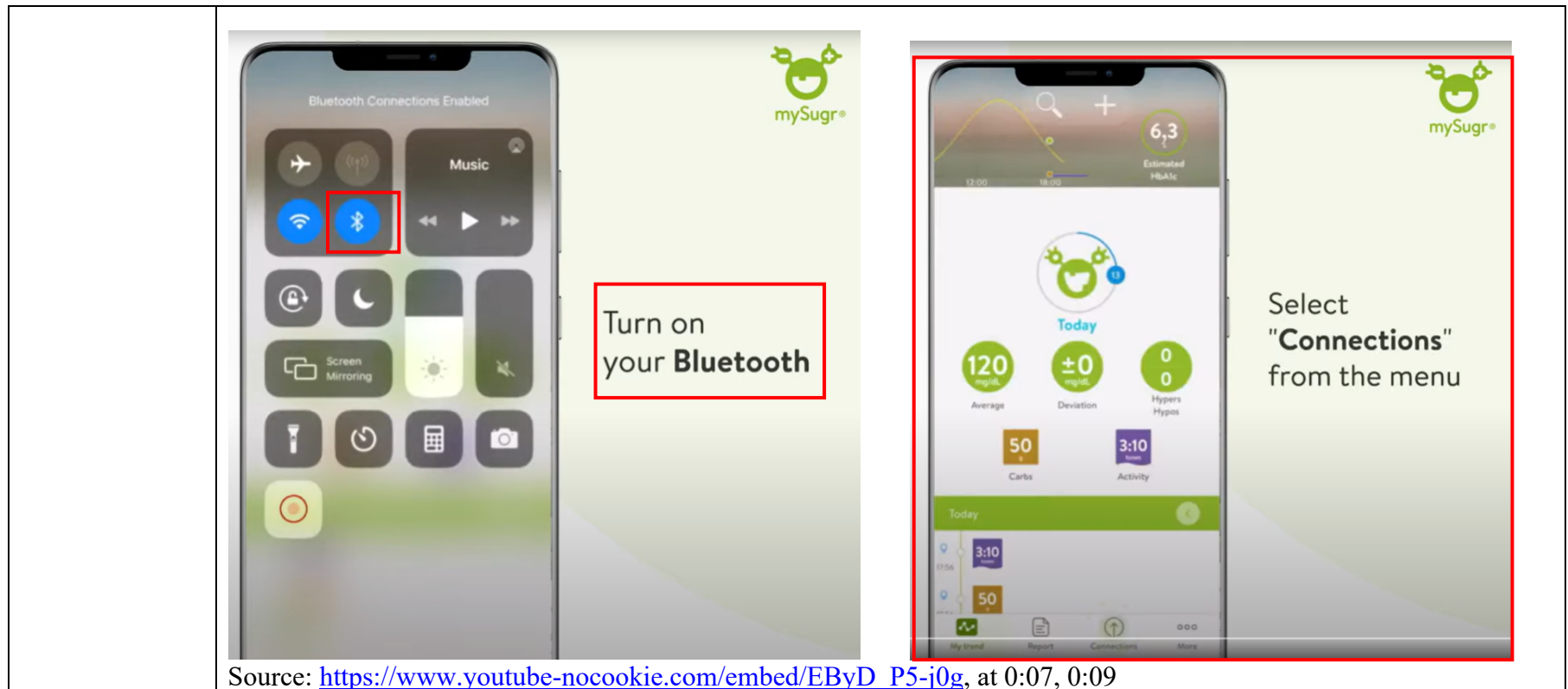


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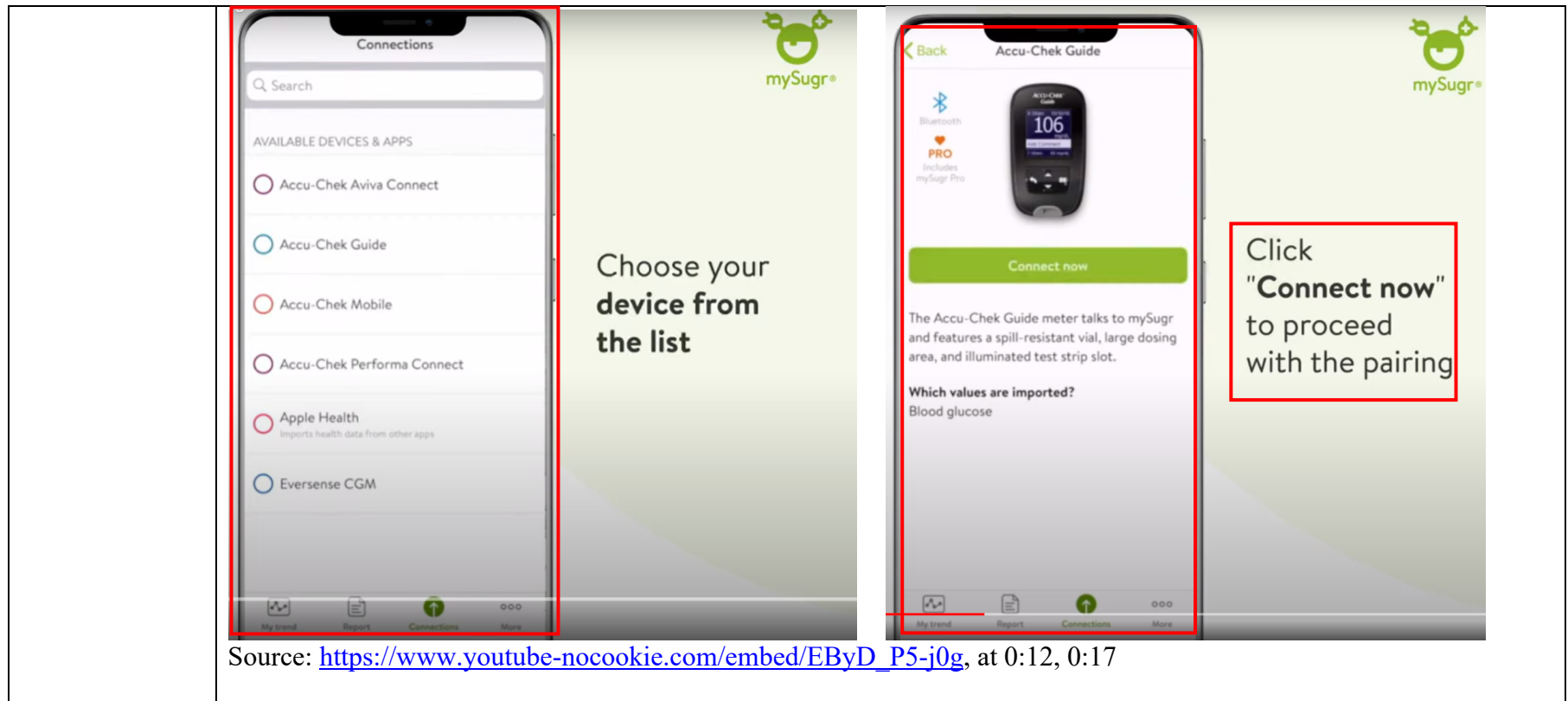


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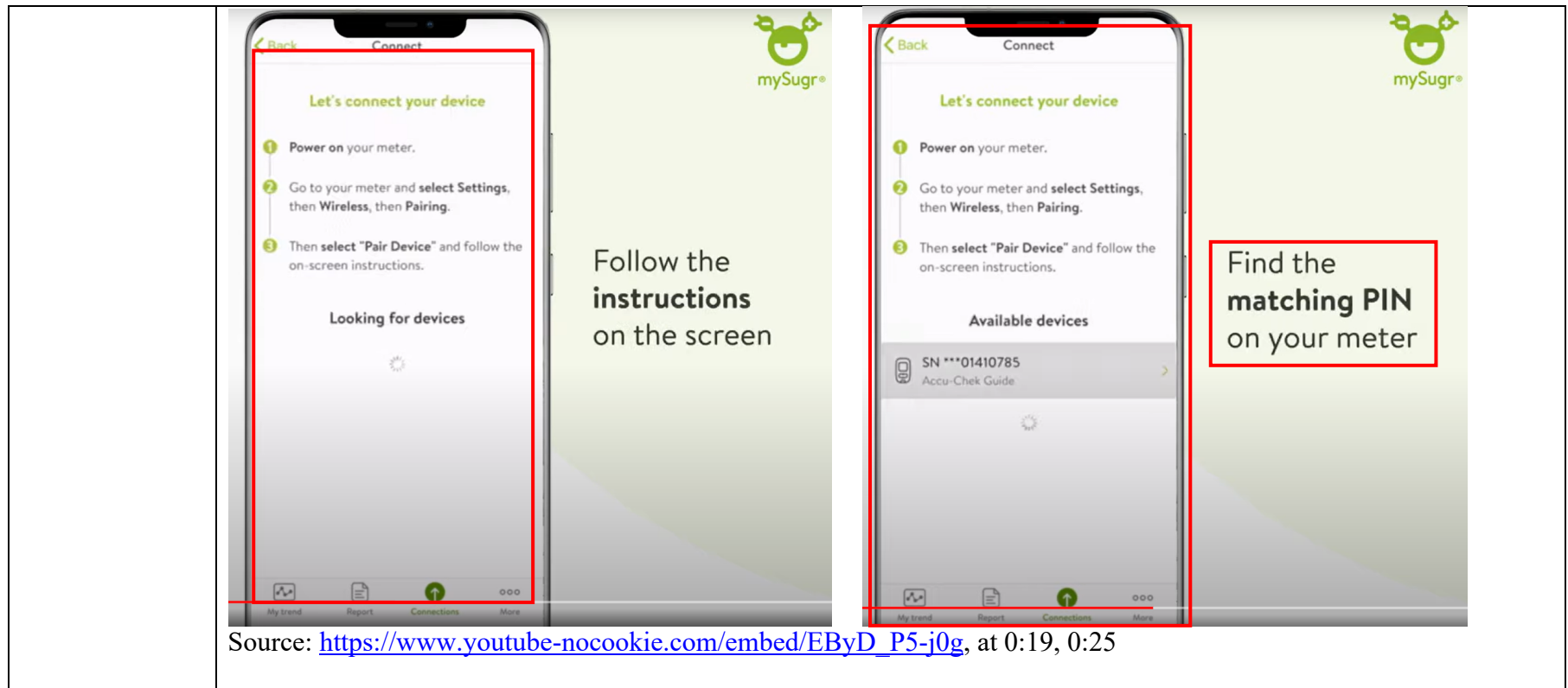


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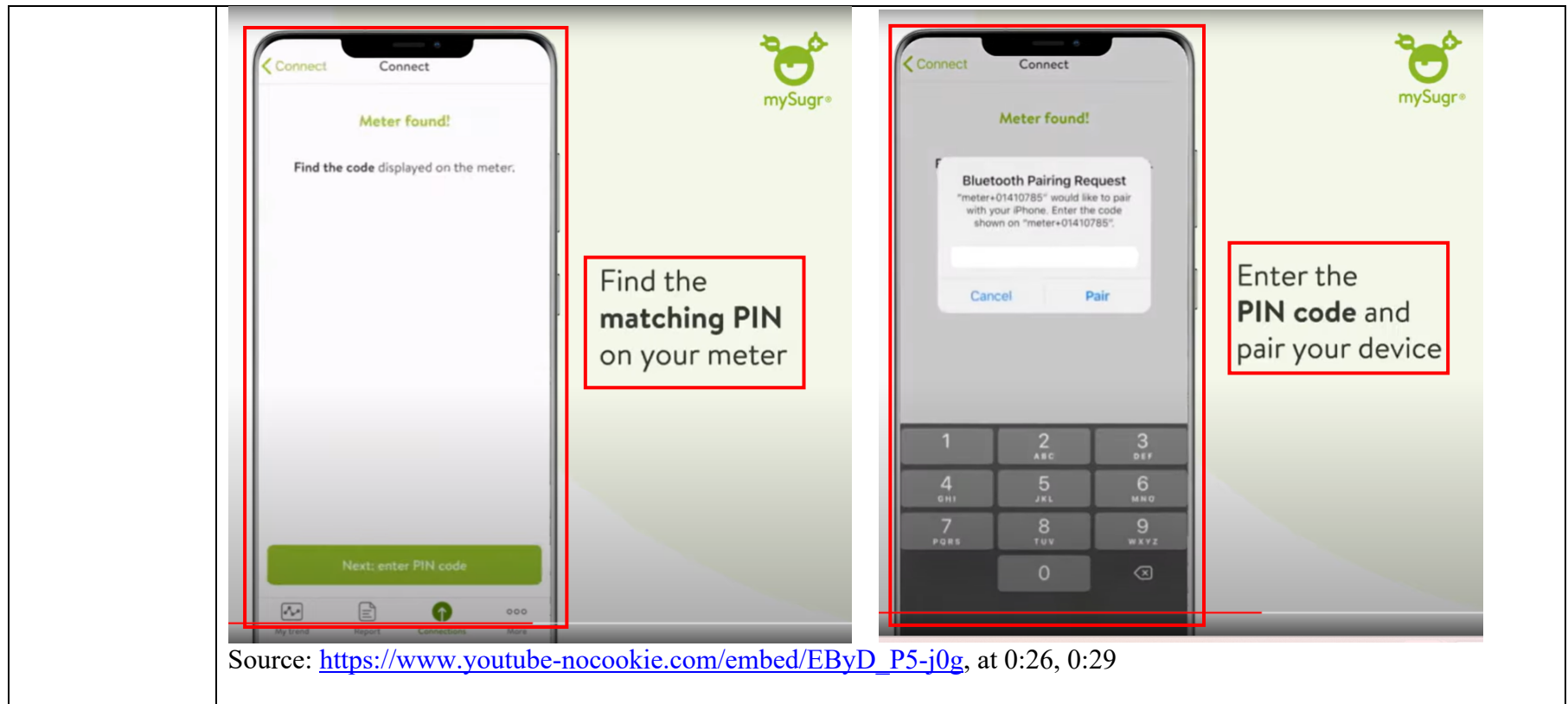


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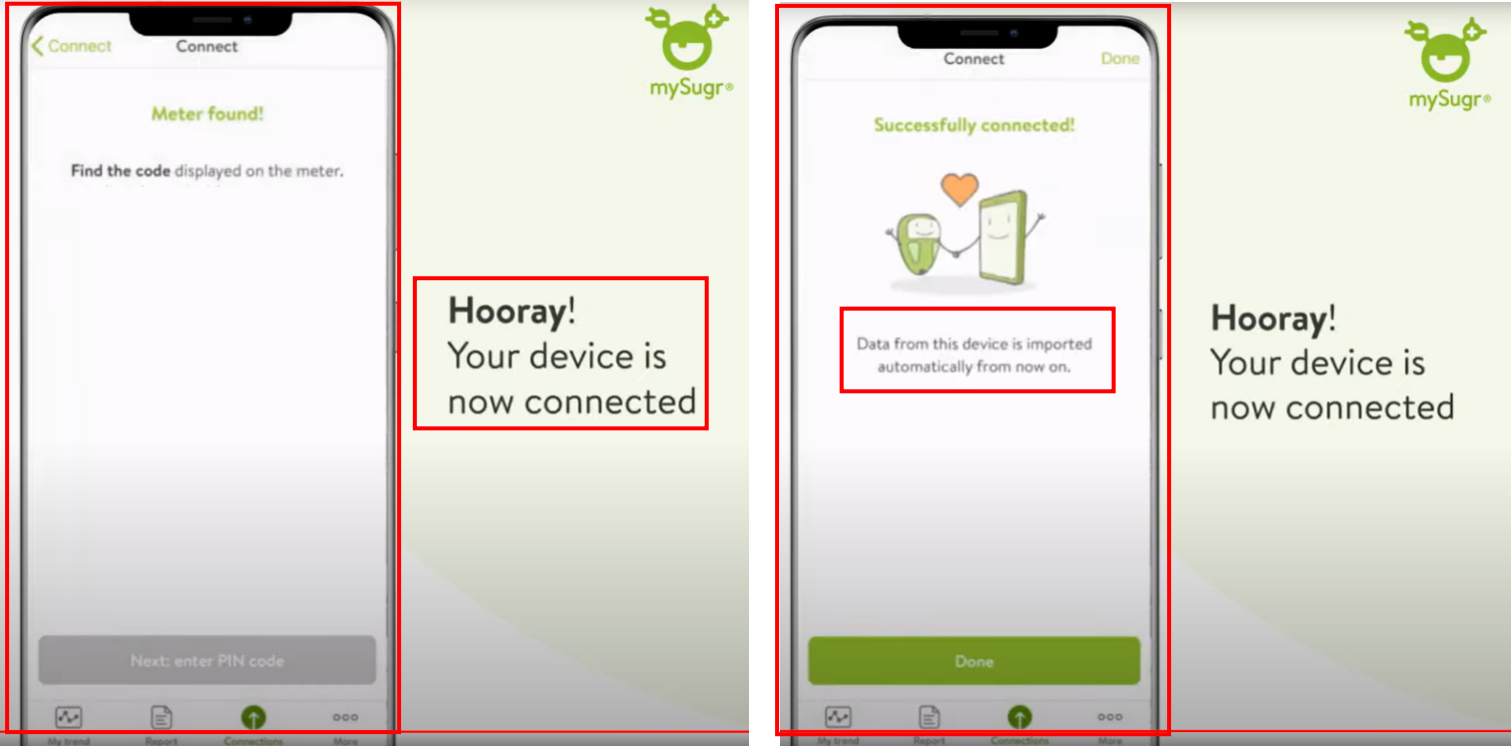

	 <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Defendant.</p>
<p>[23.P] A digital media communication protocol, comprising:</p>	<p>Roche Diagnostics Corporation ("Company") makes, uses, sells and/or offers to sell a digital media communication protocol.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Company provides Accu-Chek Guide, a blood glucose meter designed to measure blood sugar levels. It transmits the measured blood sugar levels to a mySugr app, installed on the user's smartphone, using Bluetooth wireless technology ("digital media communication protocol").</p>

Exhibit 3 to the Complaint.



The image shows an Accu-Chek Guide blood glucose meter. The screen displays the time 9:38, the date 10/10/16, and a glucose reading of 106 mg/dL. Below the reading is an 'Add Comment' field. At the bottom of the screen, it shows 7:38 and 85 mg/dL. The meter has a black body with a blue screen and a red arrow pointing to the test strip slot. It is set against a circular background with a blue-to-green gradient.

Accu-Chek Guide

Diabetes is complex. Your testing doesn't have to be.

\$29.99

[Buy Now](#) [Get it free](#)

Source: <https://www.accu-chek.com/products/meters/guide>

5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

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Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.

How can I transfer Accu-Chek meter data to mySugr? ^

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.
 - a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.
2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: <https://www.accu-chek.com/support/products/guide>

Easy Connection With Blood Sugar Meters ^


Automatically transfer your values to the mySugr app via Bluetooth and analyze them with one click to identify your patterns more quickly.

Exhibit 3 to the Complaint.

Source: <https://www.mysugr.com/en-us/>


CONNECT THE ACCU-CHEK GUIDE METER TO THE MYSUGR APP

1




Using your smartphone, **download the mySugr app** from the App Store or Google Play and **create your mySugr account**.

2



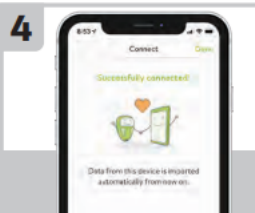
Turn on **Bluetooth®** wireless technology on your smartphone (if it's not on already).

3



Open the mySugr app, and select **Connections** on the menu. Select **Accu-Chek Guide**, and then **Connect now**. Follow the step-by-step directions for pairing.

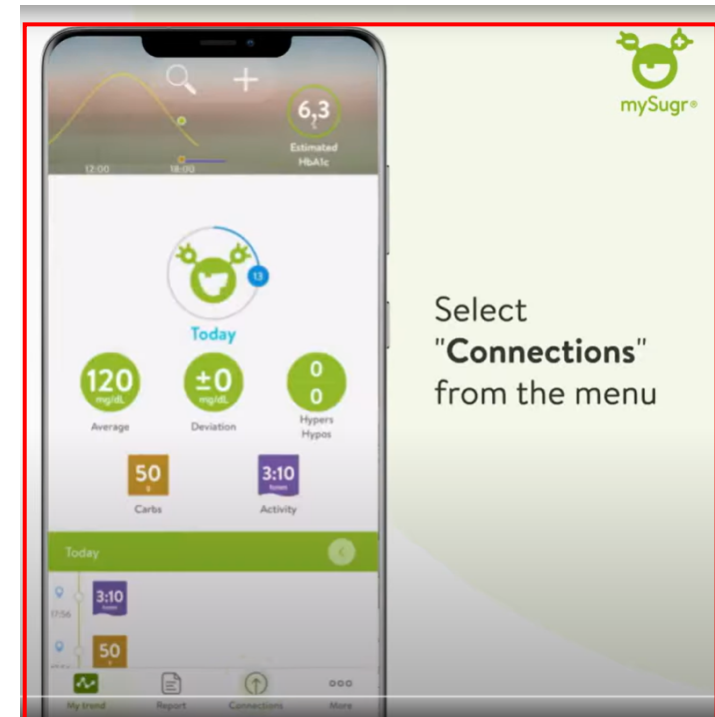
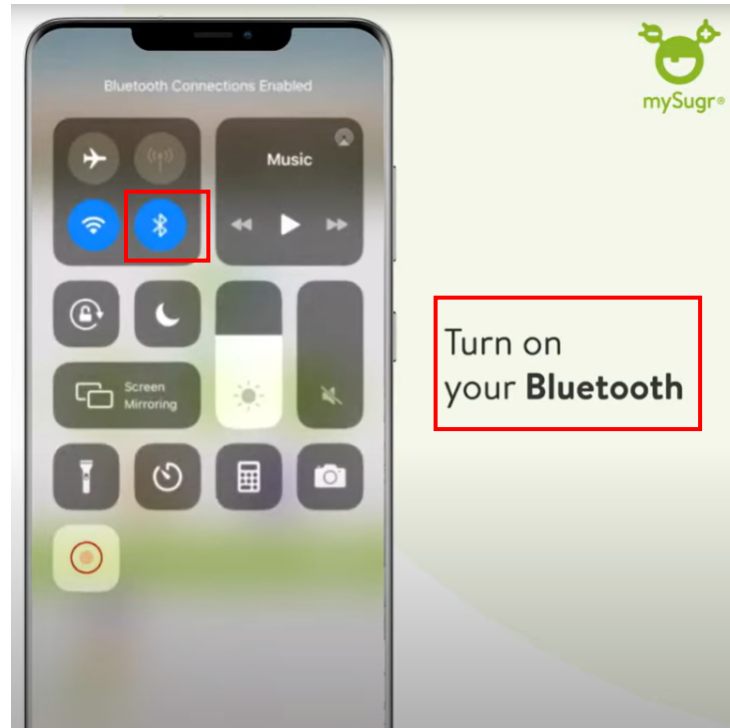
4



After your meter is successfully connected to the mySugr app, **data from your device is imported** automatically. Now you can easily keep your diabetes data under control!

Source: <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download>, Page 1 of 2

Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:07, 0:09

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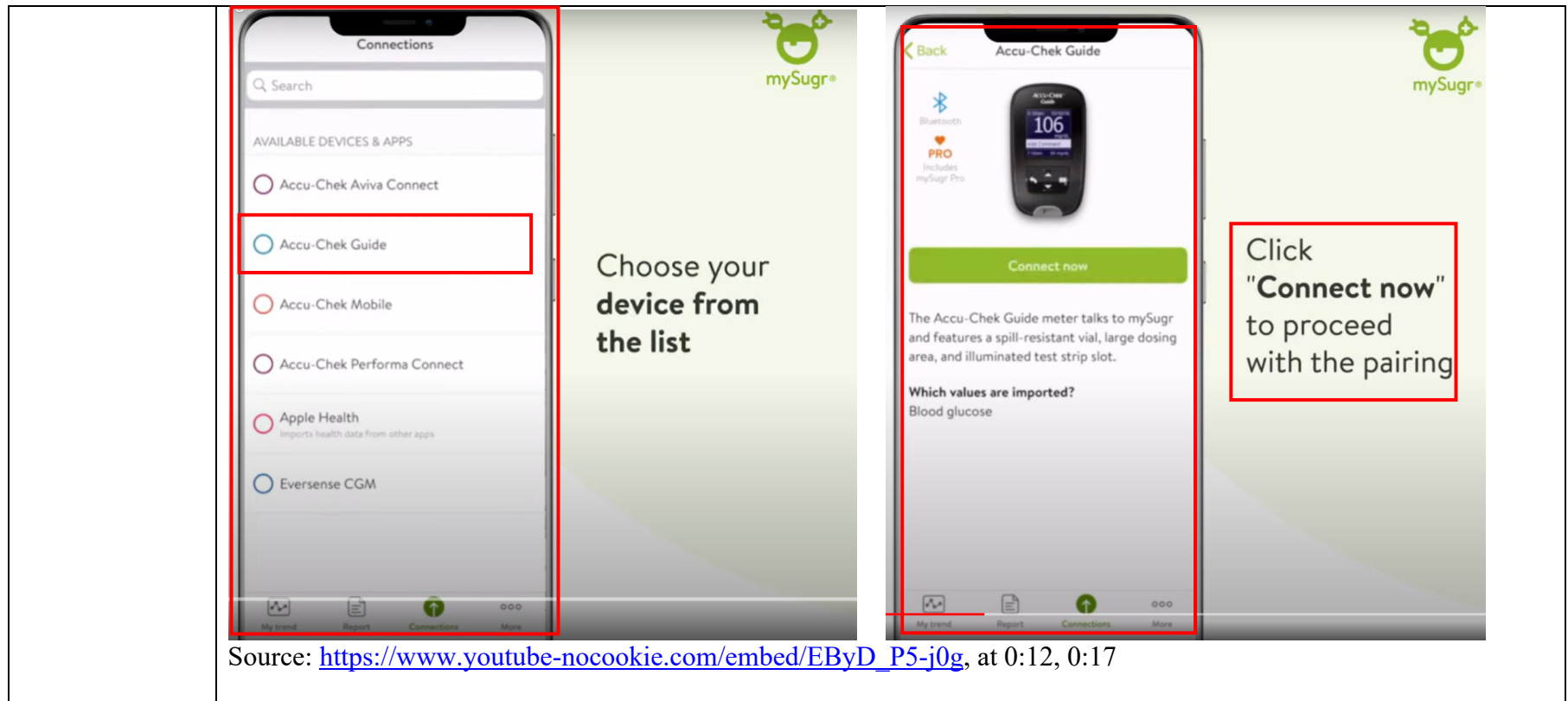


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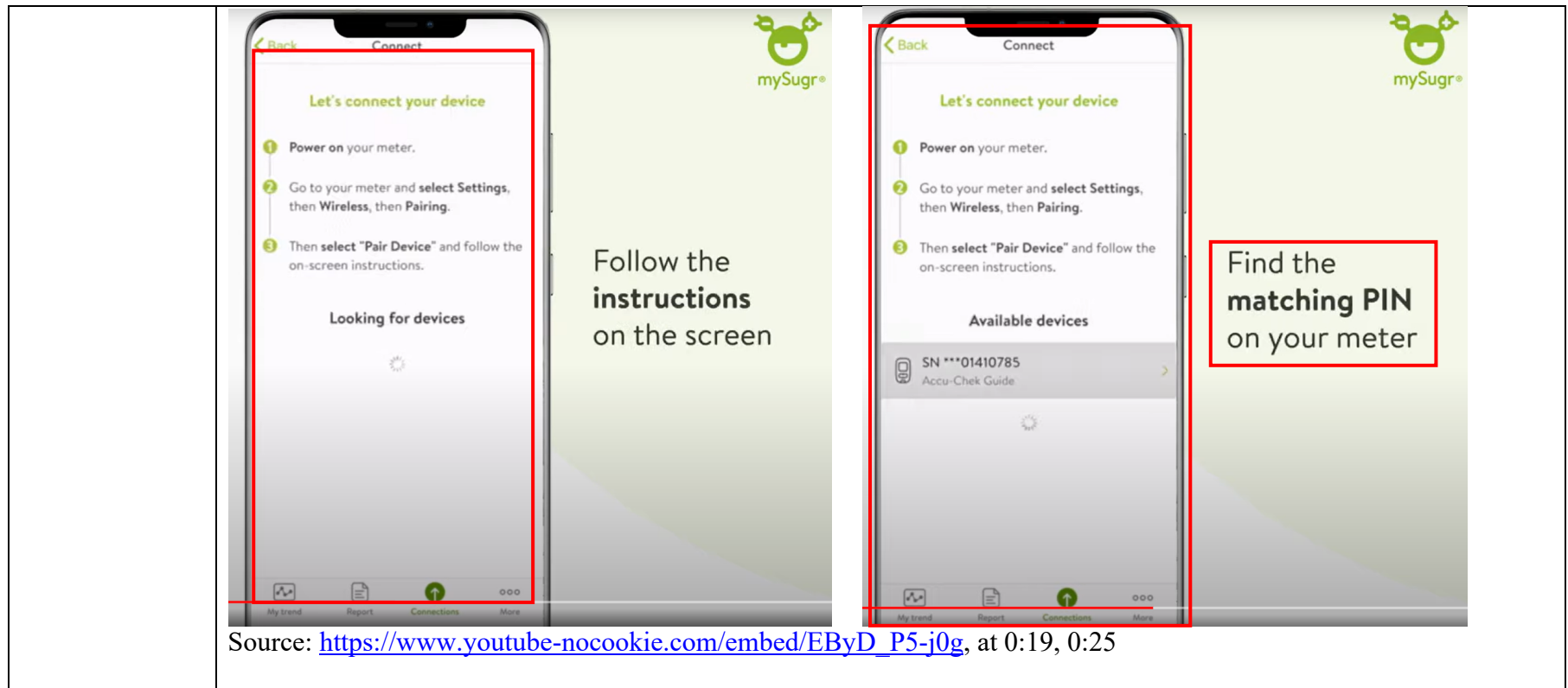


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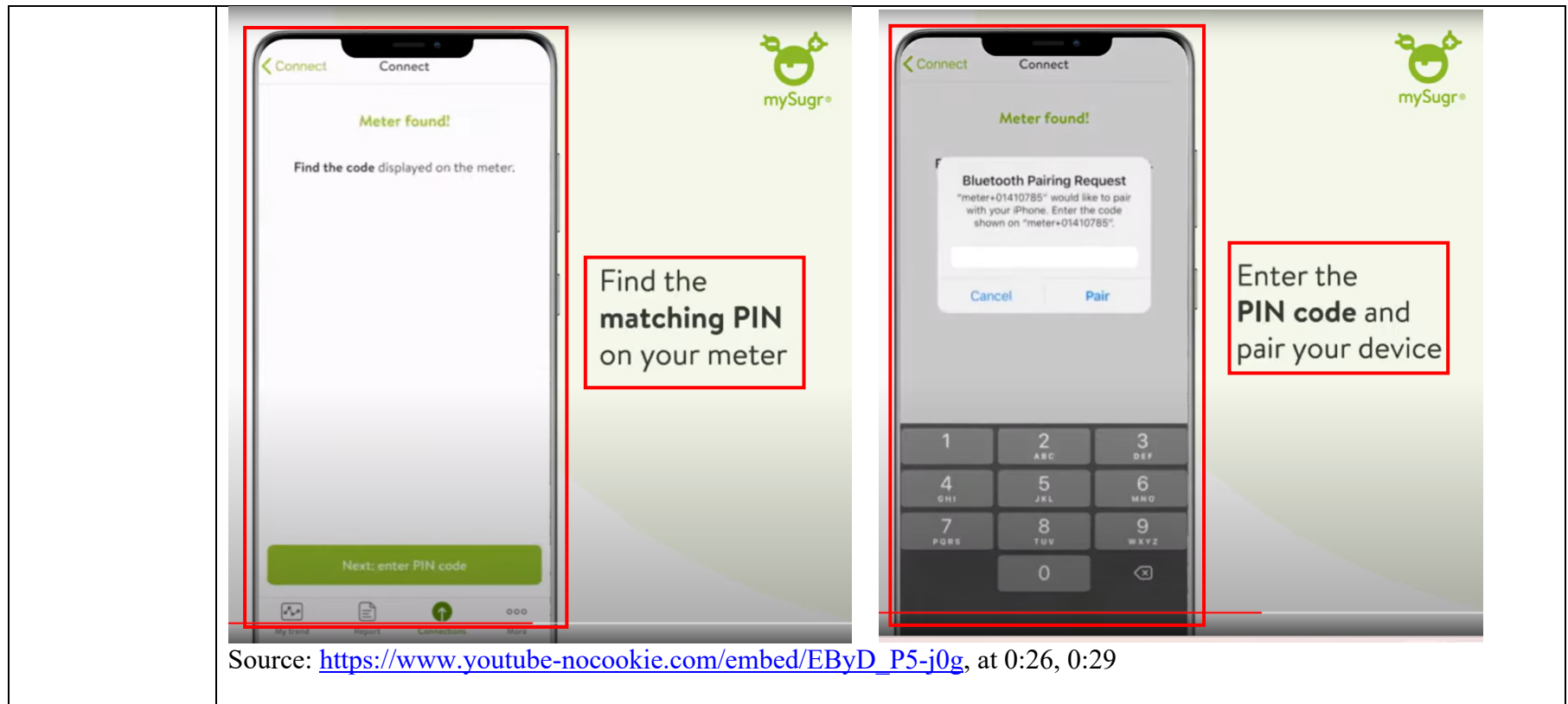


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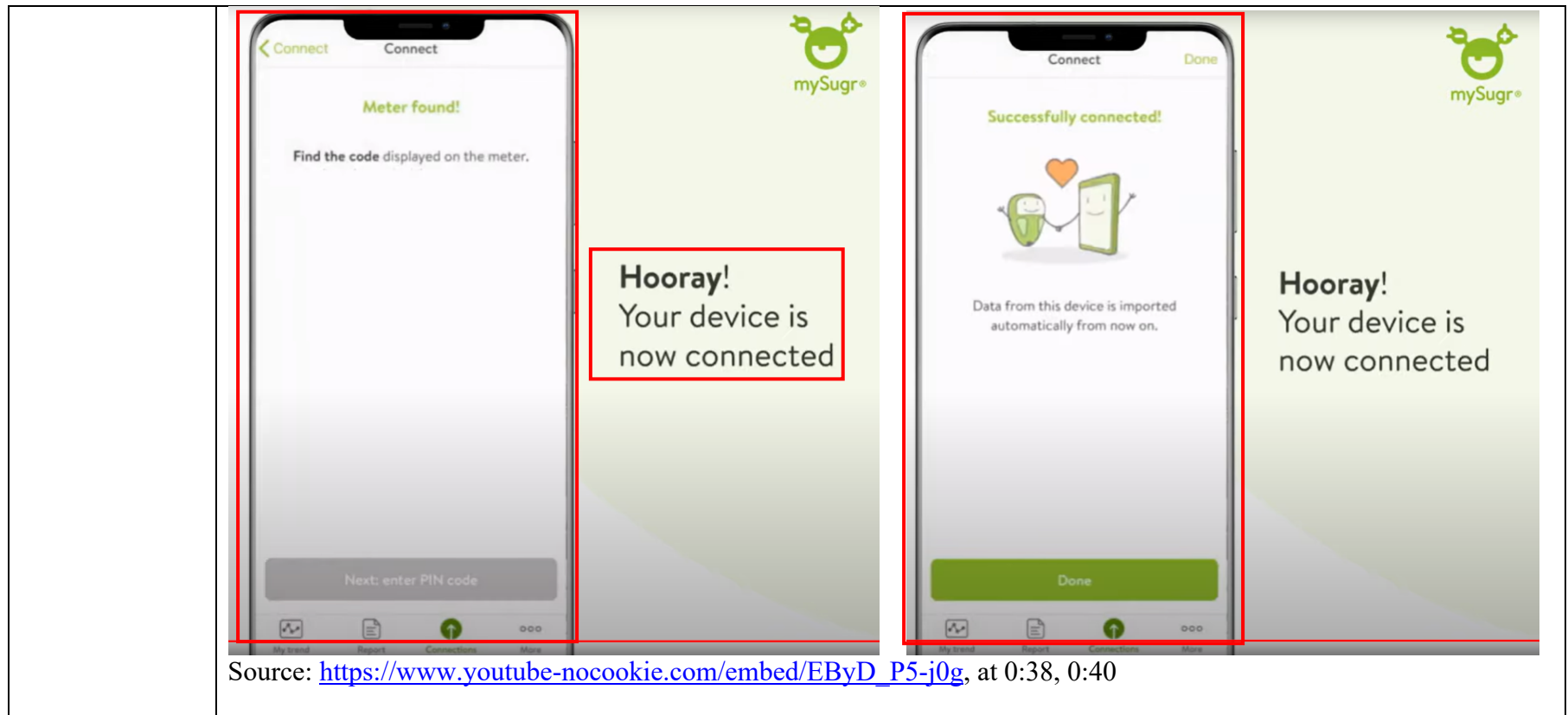


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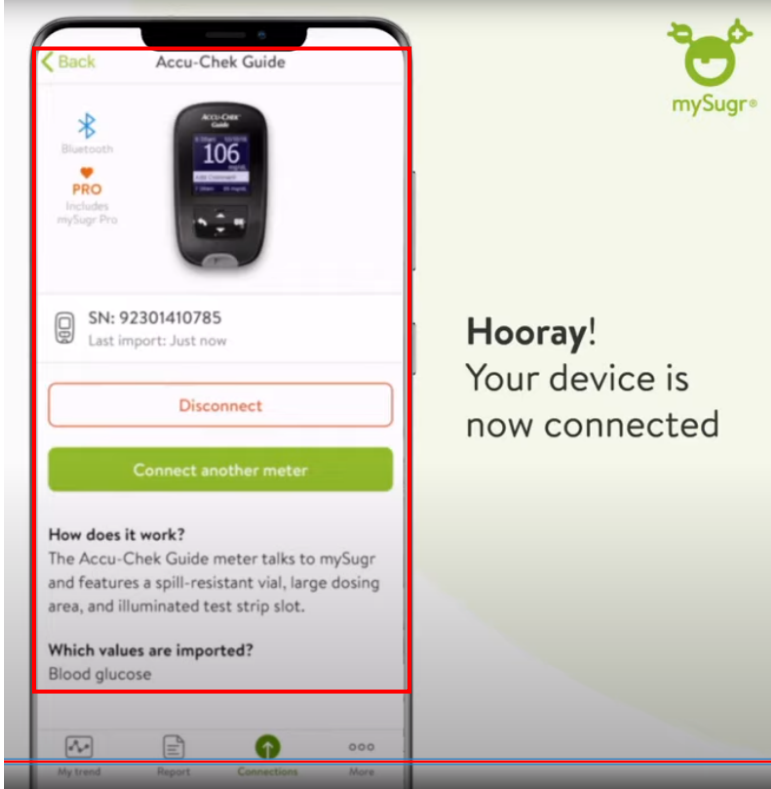
	 <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[23.1] at least one media terminal disposed in an accessible relation to at least one</p>	<p>Company makes, uses, sells and/or offers to sell at least one media terminal disposed in an accessible relation to at least one interactive computer network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide transmits the blood sugar levels to the mySugr app, installed on the user's smartphone ("media terminal"), using Bluetooth network ("interactive computer network"). Since, the smartphone communicates</p>

Exhibit 3 to the Complaint.




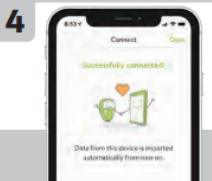
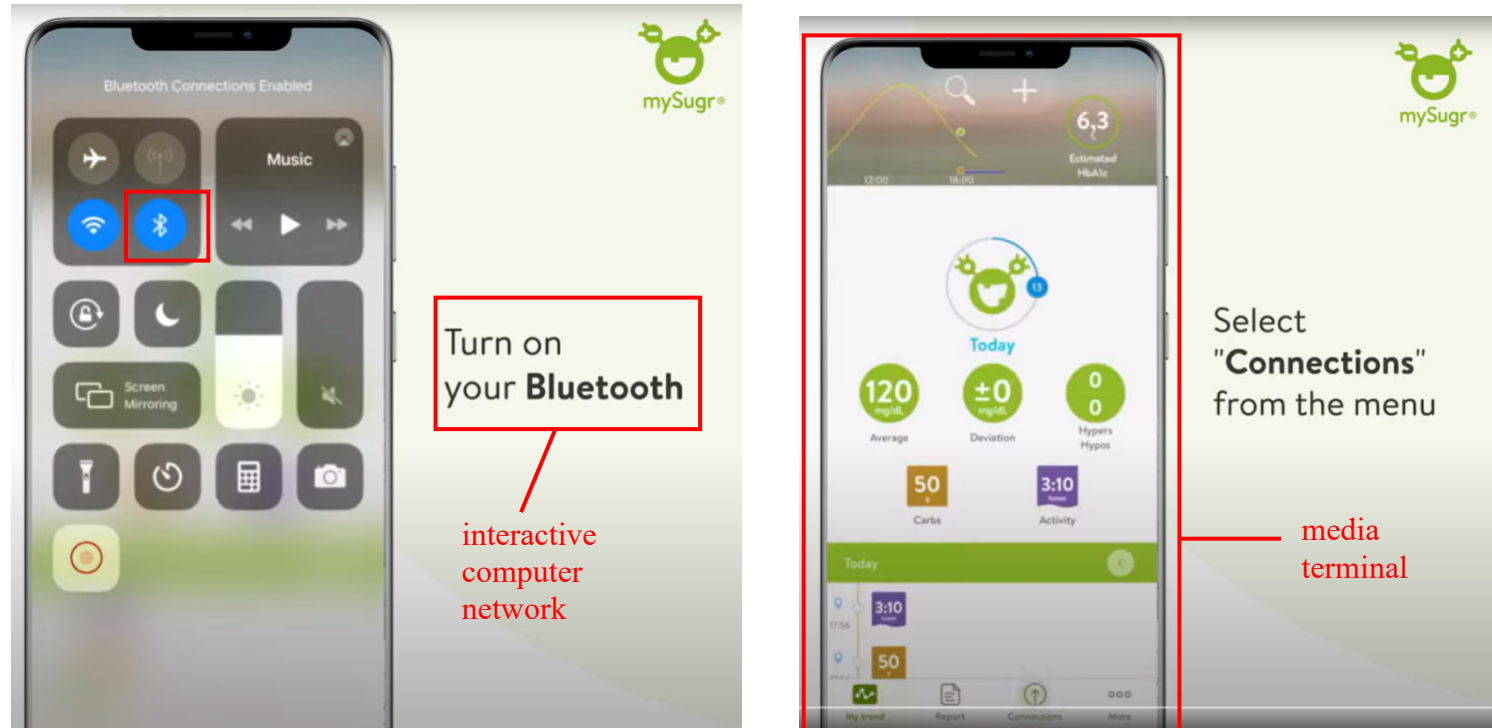
<p>interactive computer network,</p>	<p>and sends data to the Accu-Chek Guide using Bluetooth, it is apparent for a person having ordinary skills in the art that, the media terminal is disposed in an accessible relation with the Accu-Chek Guide using Bluetooth network.</p> <div data-bbox="445 386 961 1182"><p>CONNECT THE ACCU-CHEK GUIDE METER TO THE MYSUGR APP</p><div data-bbox="457 467 697 662"><p>1</p><p>Download on the App Store GET IT ON Google Play</p></div><p>Using your smartphone, download the mySugr app from the App Store or Google Play and create your mySugr account.</p></div> <div data-bbox="709 467 949 662"><p>2</p><p>Turn on Bluetooth® wireless technology on your smartphone (if it's not on already).</p></div> <div data-bbox="457 792 697 987"><p>3</p><p>Open the mySugr app, and select Connections on the menu. Select Accu-Chek Guide, and then Connect now. Follow the step-by-step directions for pairing.</p></div> <div data-bbox="709 792 949 987"><p>4</p><p>After your meter is successfully connected to the mySugr app, data from your device is imported automatically. Now you can easily keep your diabetes data under control!</p></div>
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Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:07, 0:09 (annotated)

Exhibit 3 to the Complaint.

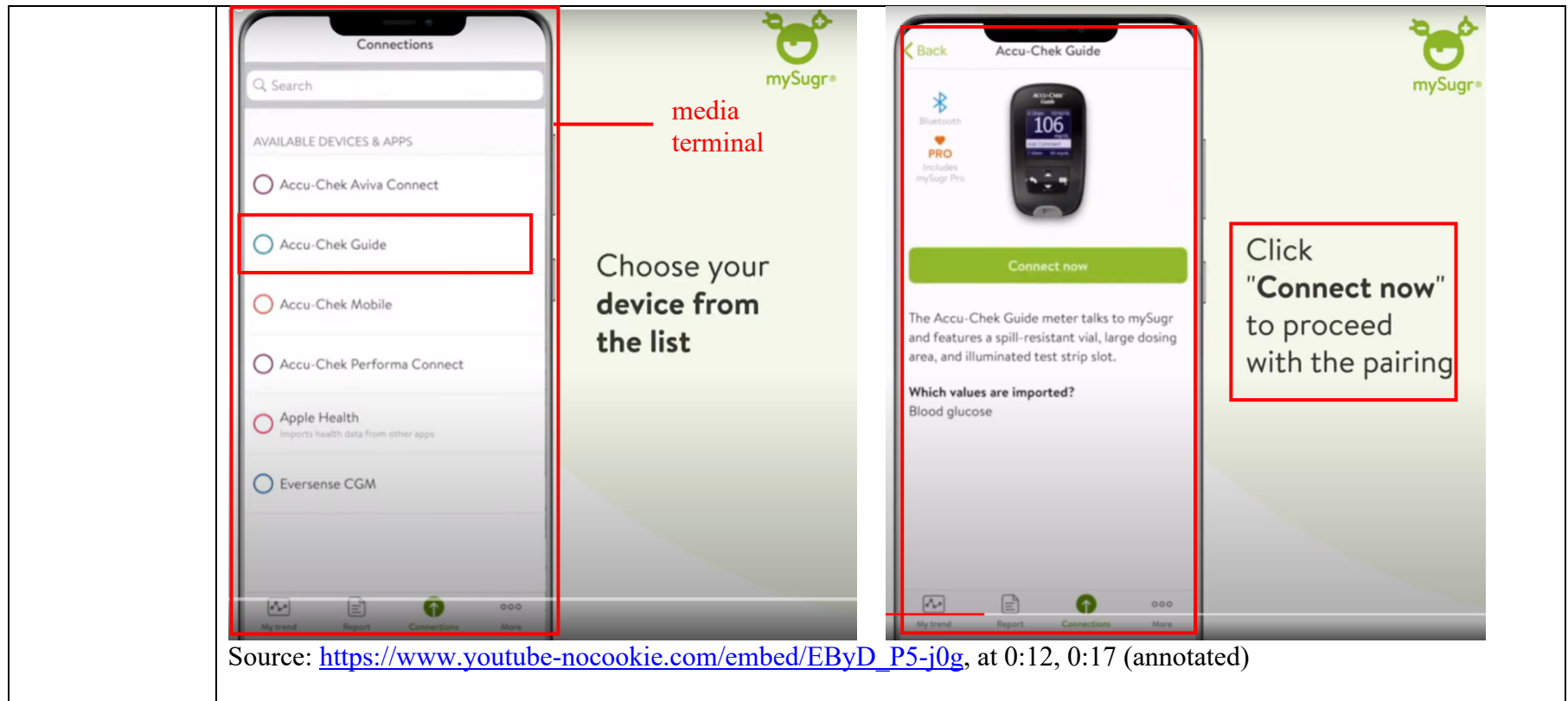


Exhibit 3 to the Complaint.

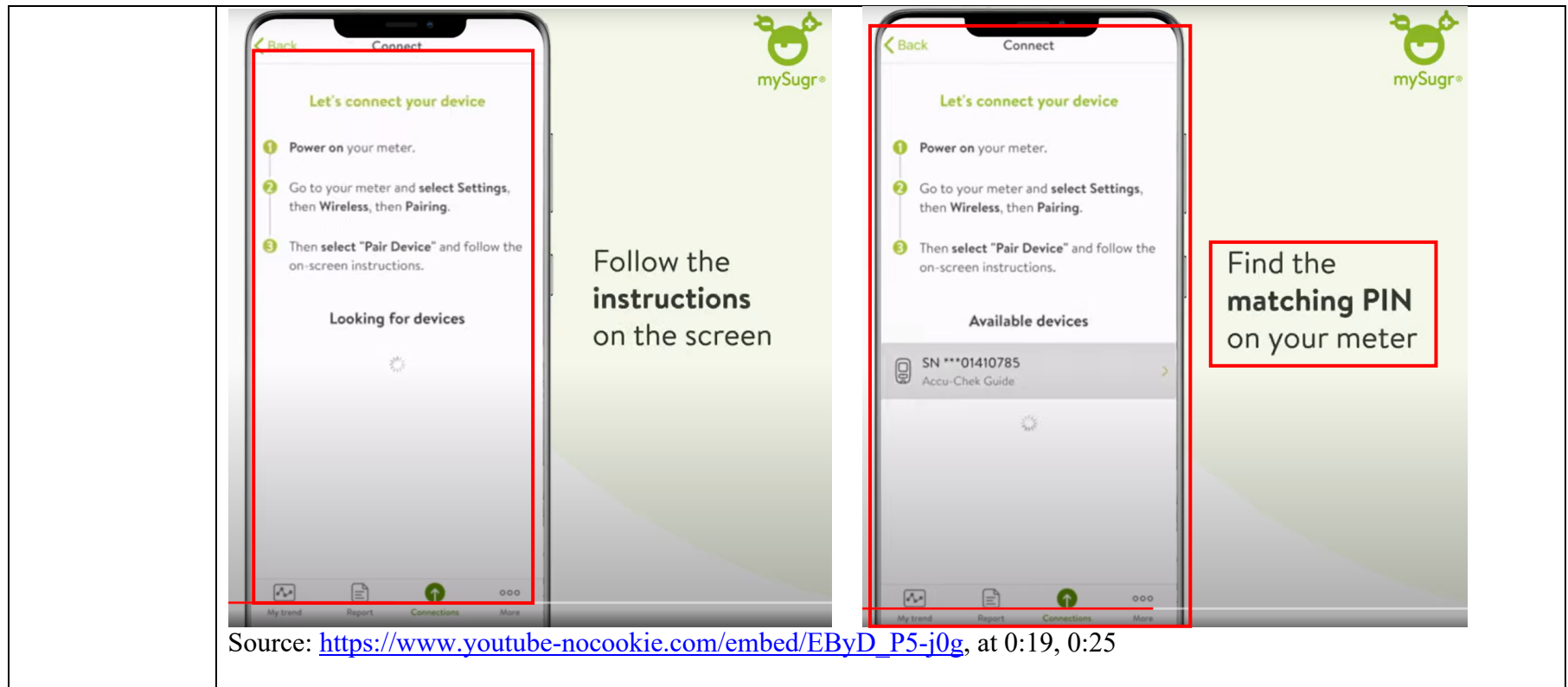
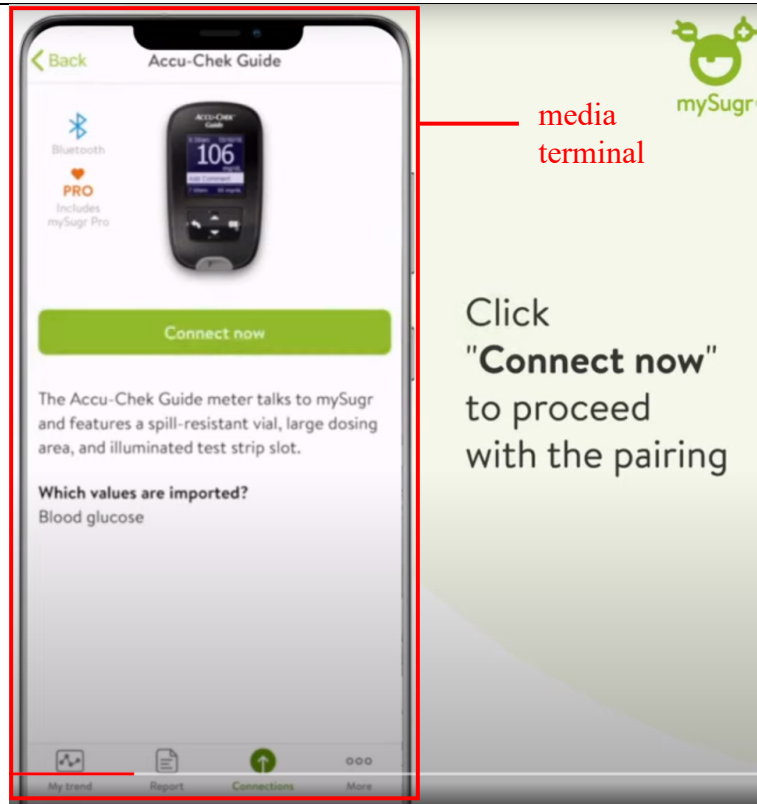


Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:17 (annotated)

Exhibit 3 to the Complaint.


	<div><h3>How can I transfer Accu-Chek meter data to mySugr? </h3><p>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your <u>blood sugar readings</u> into the app, saving you tons of time.</p><p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p><div><ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.</div><div><ol style="list-style-type: none">2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.</div><ol style="list-style-type: none">5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<p>Source: https://www.accu-chek.com/support/products/guide</p></div>
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Exhibit 3 to the Complaint.


	<p> Other</p> <ul style="list-style-type: none"> • receive data from Internet • view network connections • pair with Bluetooth devices • access Bluetooth settings • full network access • run at startup • control vibration • prevent device from sleeping <p>Source: https://play.google.com/store/apps/details?id=com.mysugr.android.companion</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[23.2] a wireless range structured to permit authorized access to said at least one interactive computer network,</p>	<p>Company makes, uses, sells and/or offers to sell a wireless range structured to permit authorized access to said at least one interactive computer network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Accu-Chek Guide and the smartphone, on which the mySugr app is installed, are paired with each other using the Bluetooth network (“interactive computer network”). This network facilitates the pairing of the smartphone and the Accu-Chek Guide when they are within Bluetooth range of each other. To complete the Bluetooth pairing, the user is required to input the PIN (“authorized access”) of the Accu-Chek Guide into the mySugr app. It would be apparent to a person of ordinary skill in the art that wireless range structured to permit authorized access to at least one interactive computer network.</p>

Exhibit 3 to the Complaint.

5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

Bluetooth Wireless Technology – The meter uses *Bluetooth®* low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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Exhibit 3 to the Complaint.

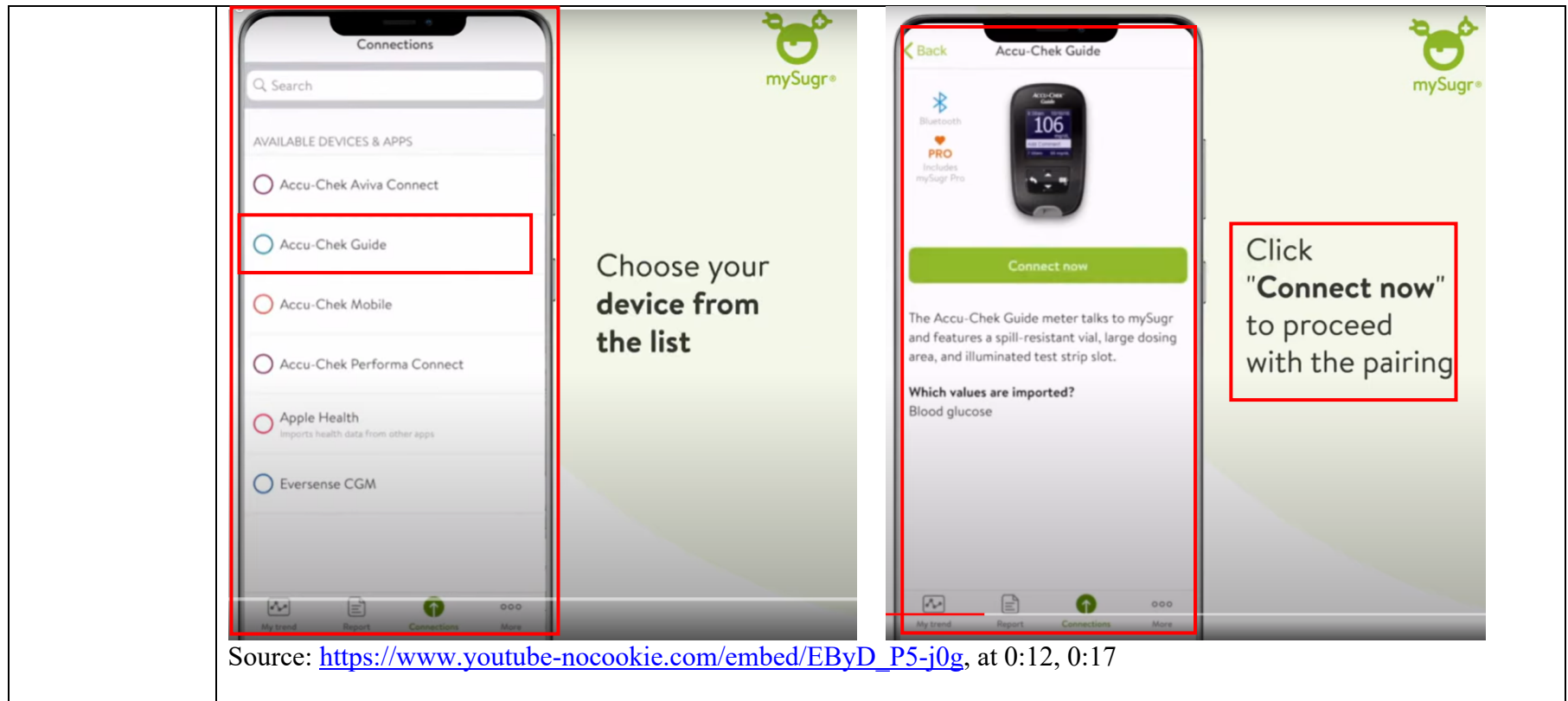


Exhibit 3 to the Complaint.

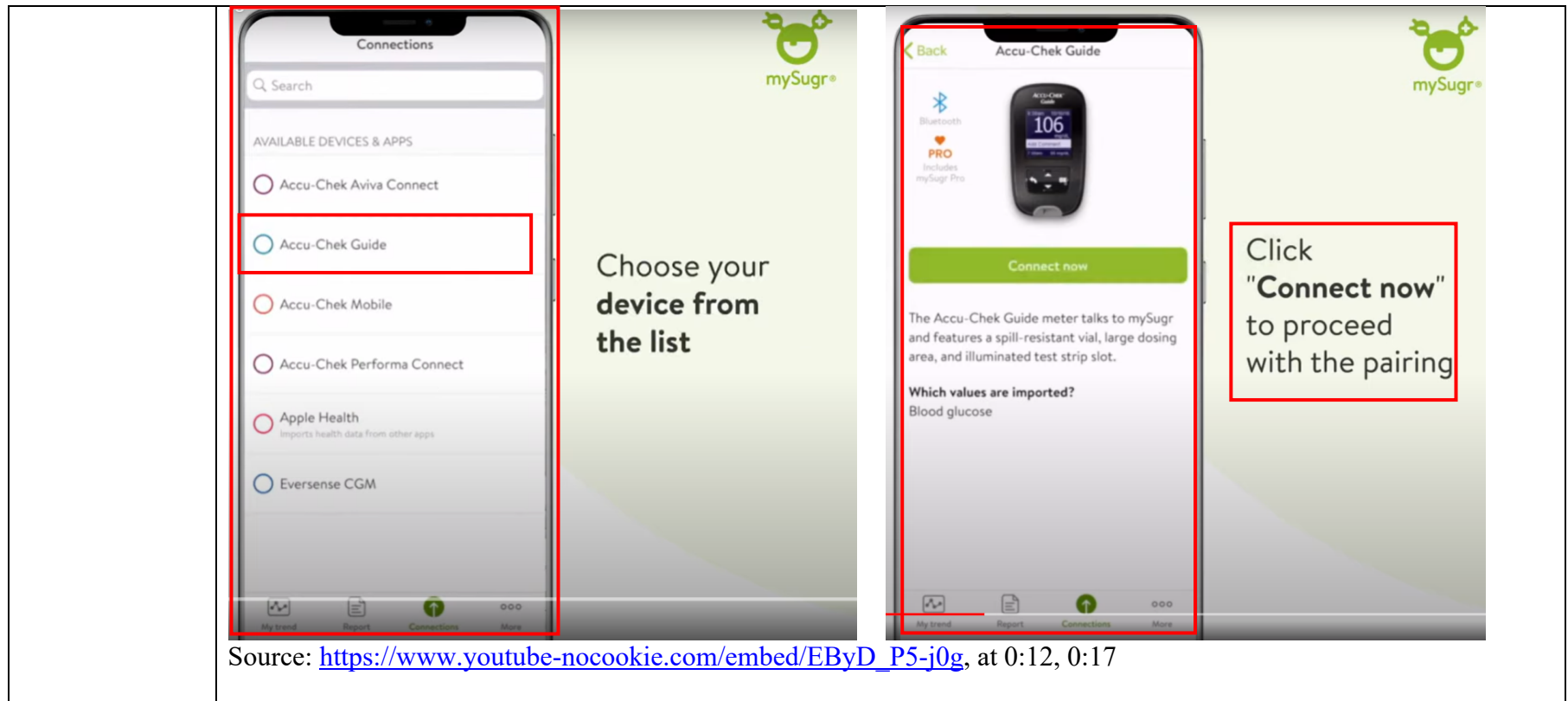


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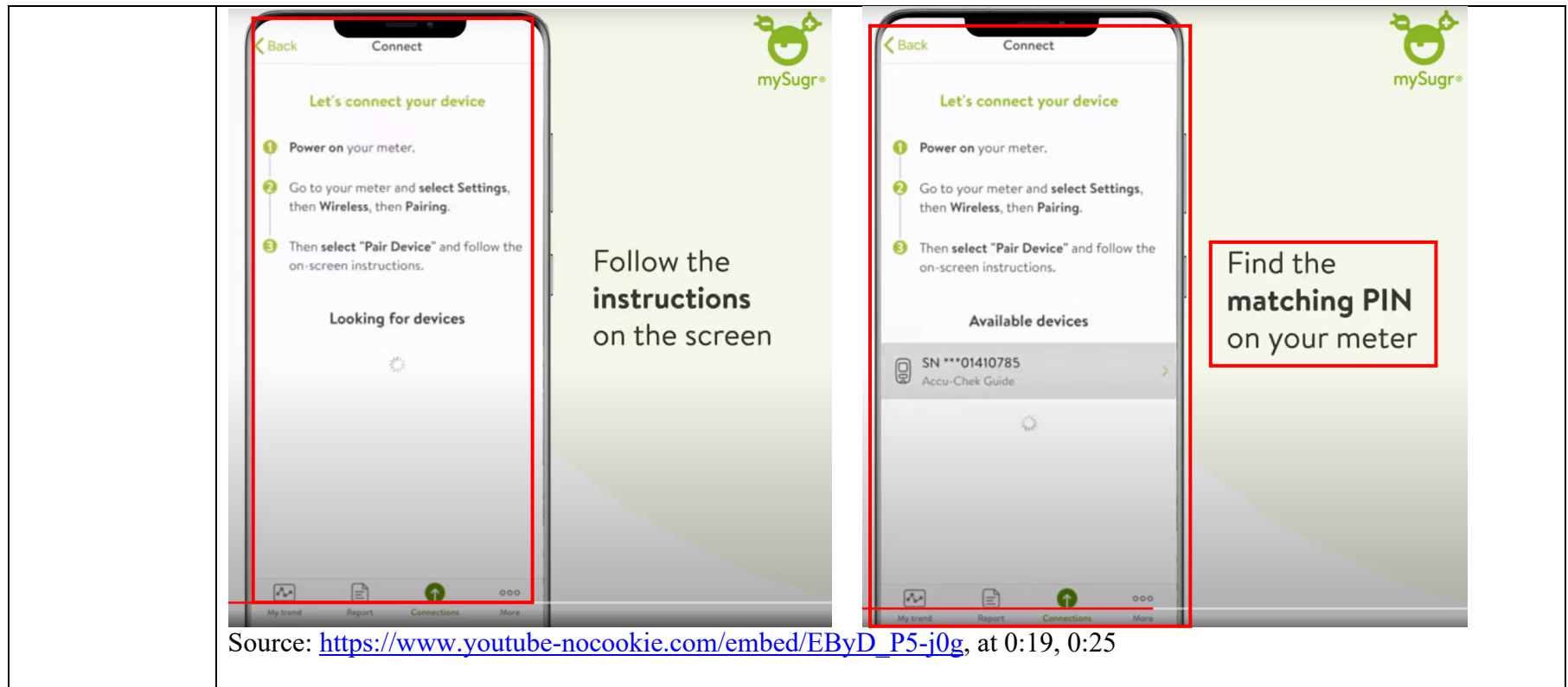


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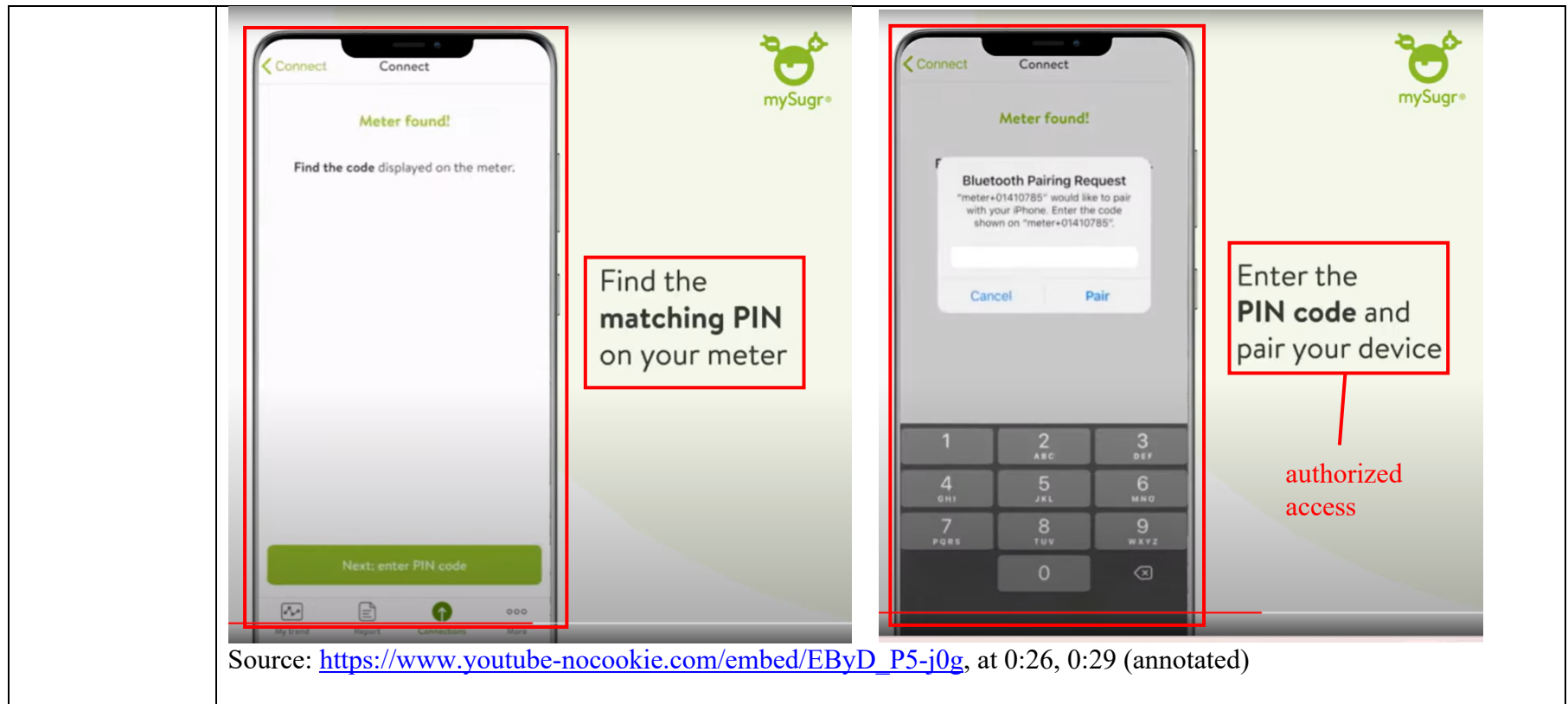


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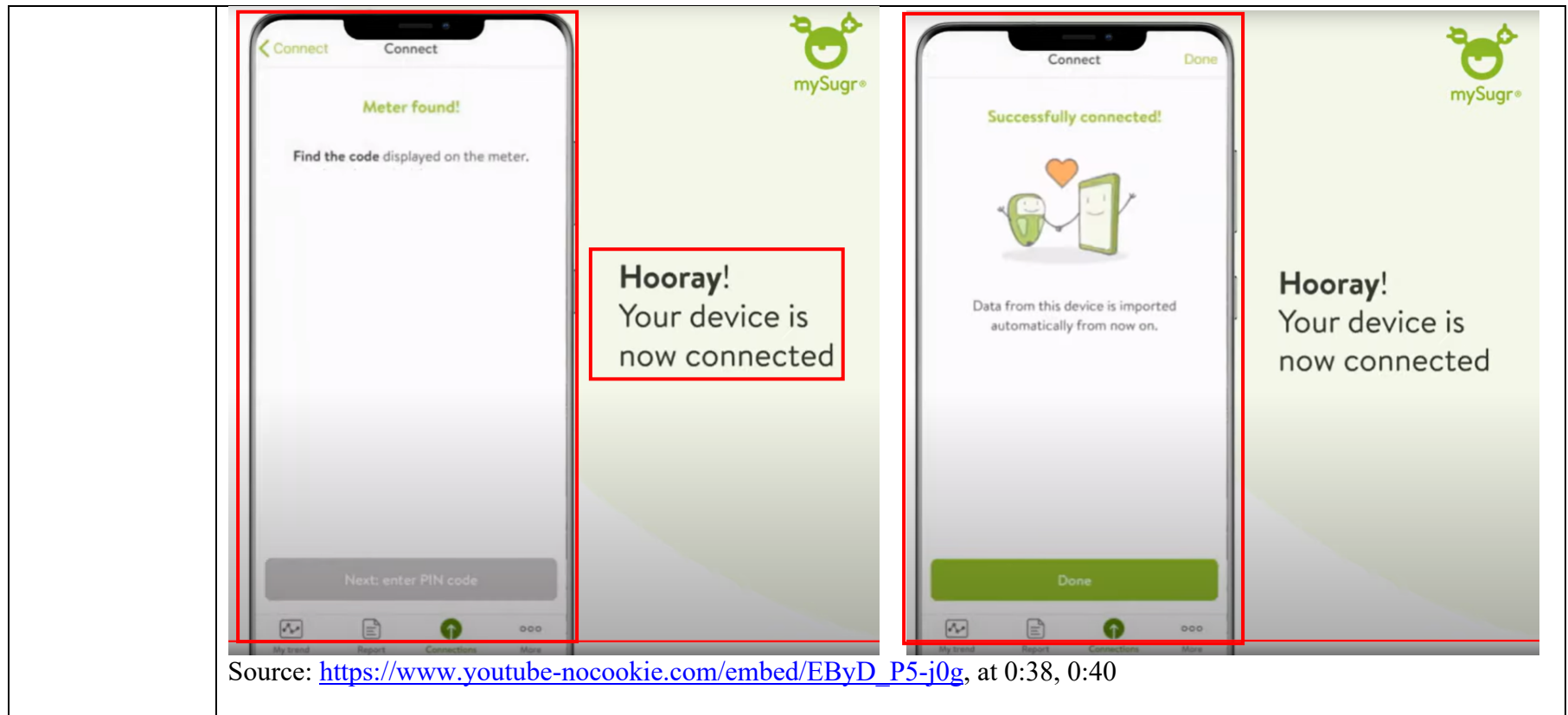
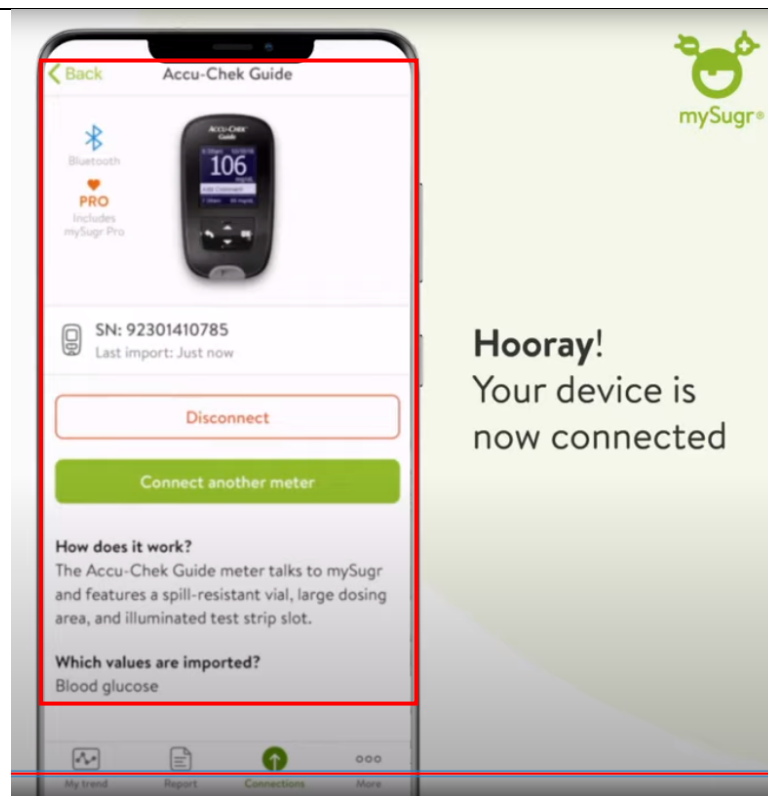


Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by the Defendant.

[23.3] at least one media node disposed within said wireless range, wherein said at least one

Company makes, uses, sells and/or offers to sell at least one media node disposed within said wireless range, wherein said at least one media node is detectable by said at least one media terminal.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, the Accu-Chek Guide ("media node") is portable device which employs the Bluetooth network ("interactive computer network") to pair with the mySugr app which is installed on the user's smartphone. The Accu-Chek Guide is

Exhibit 3 to the Complaint.

media node is detectable by said at least one media terminal,

within the Bluetooth range of the smartphone where the mySugr app is installed. The smartphone, on which the mySugr app is installed, detects the Accu-Chek Guides which are within its Bluetooth range. It would be apparent to a person of ordinary skill in the art that at least one media node disposable within the wireless range.

1 Personalized logging screen

Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

2 mySugr Analytics

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

3 Data Reports & Sharing

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.

media terminal

media node



Source: <https://www.accu-chek.com/products/mysugr> (annotated)

Exhibit 3 to the Complaint.

5 mySugr Connectivity

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. [Learn More](#)

Source: <https://www.accu-chek.com/products/meters/guide>

Bluetooth Wireless Technology – The

meter uses *Bluetooth®* low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at

2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.


media
node

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70 (annotated)

Exhibit 3 to the Complaint.


CONNECT THE ACCU-CHEK GUIDE METER TO THE MYSUGR APP

1



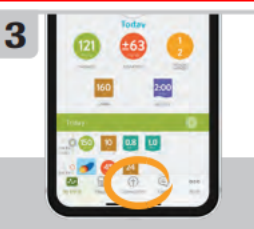
Using your smartphone, **download the mySugr app** from the App Store or Google Play and **create your mySugr account**.

2



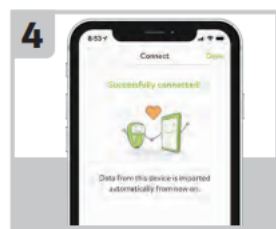
Turn on **Bluetooth®** wireless technology on your smartphone (if it's not on already).

3



Open the mySugr app, and select **Connections** on the menu. Select **Accu-Chek Guide**, and then **Connect now**. Follow the step-by-step directions for pairing.

4



After your meter is successfully connected to the mySugr app, **data from your device is imported** automatically. Now you can easily keep your diabetes data under control!

Source: <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download>, Page 1 of 2

Exhibit 3 to the Complaint.

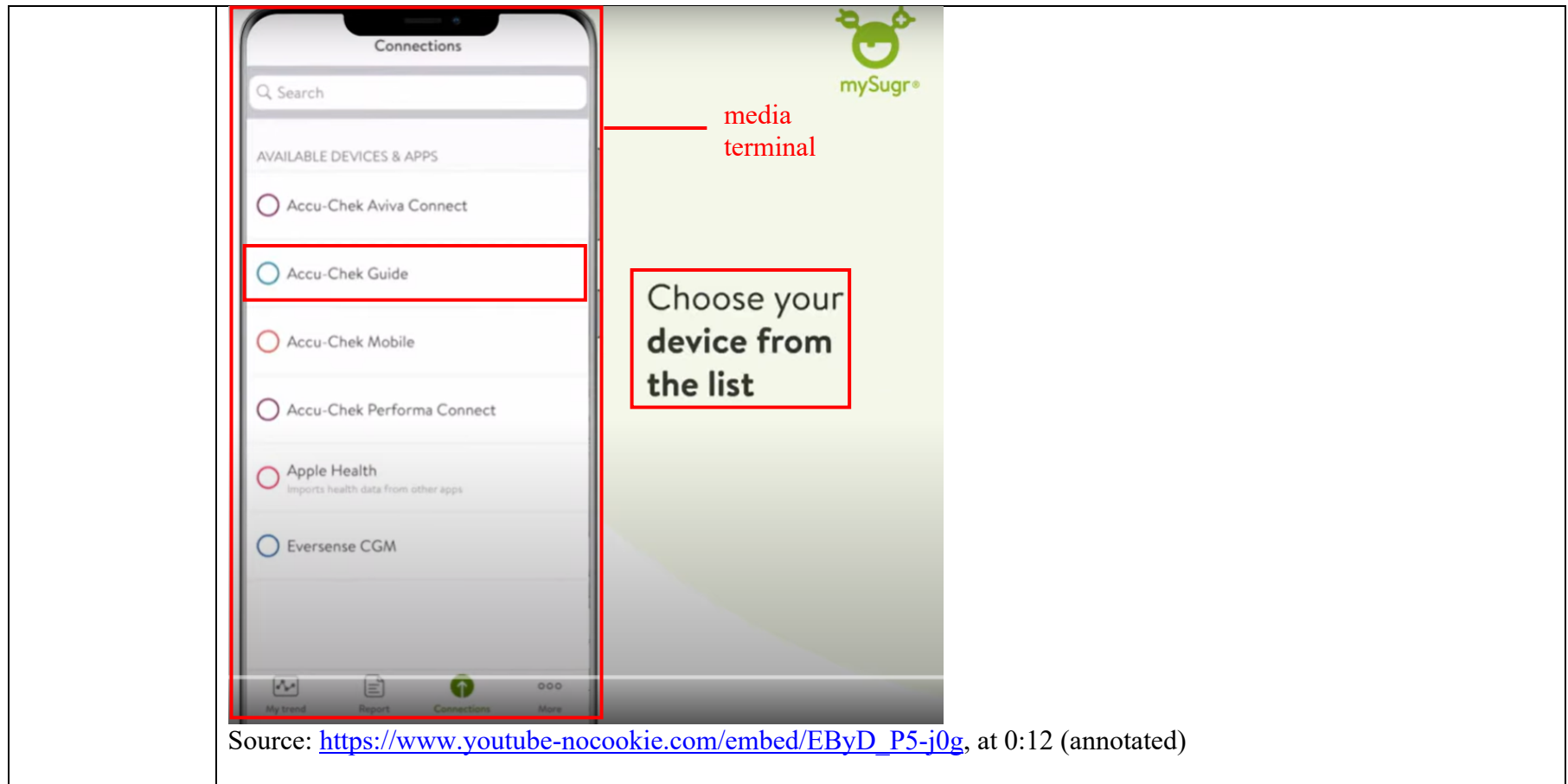
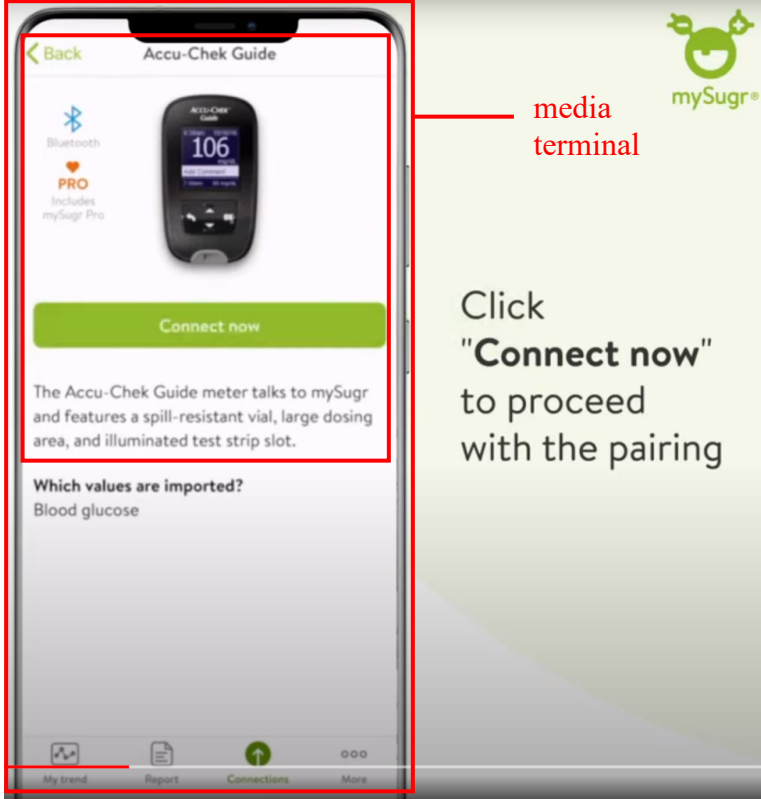


Exhibit 3 to the Complaint.



media terminal

Click
"Connect now"
to proceed
with the pairing

Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:17 (annotated)

Exhibit 3 to the Complaint.

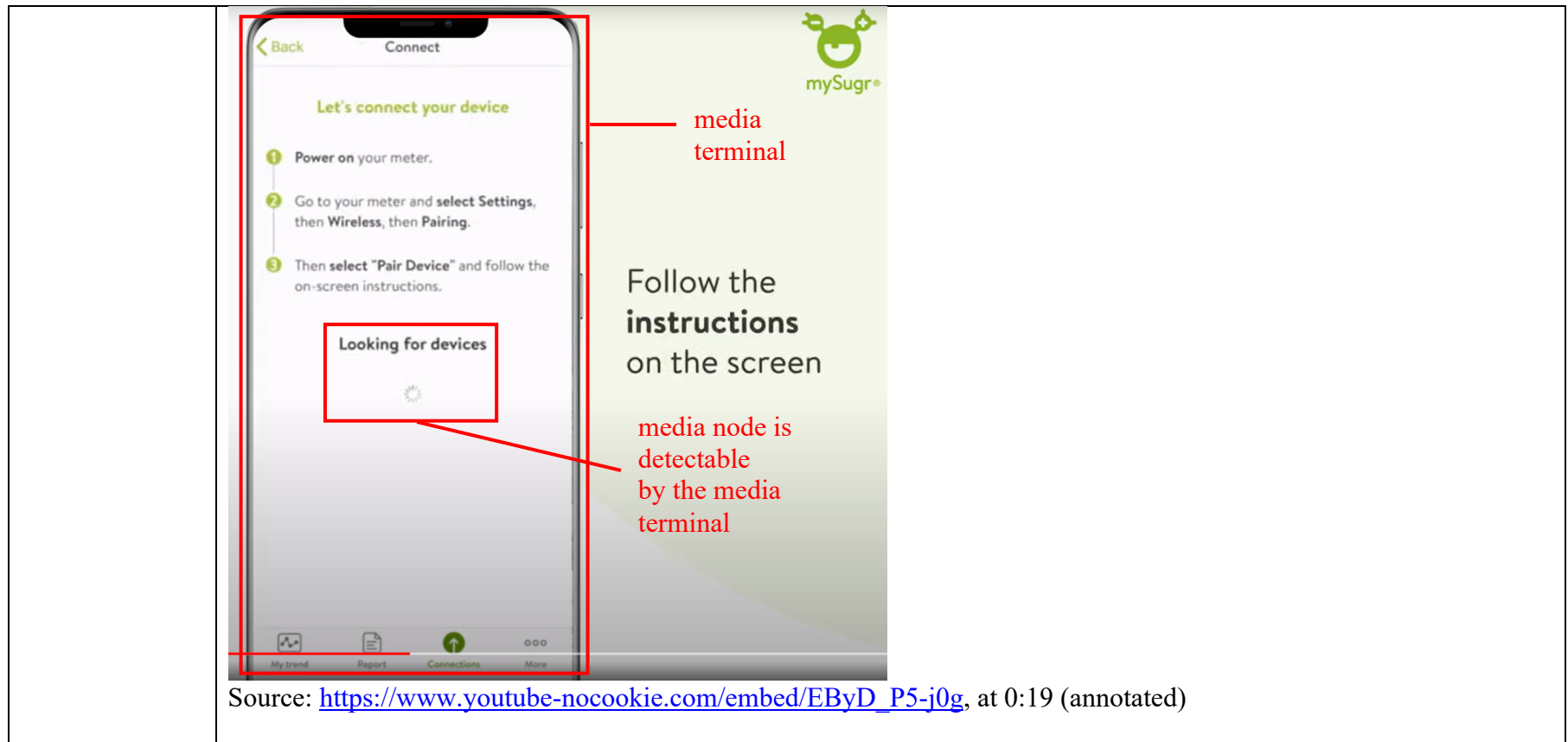


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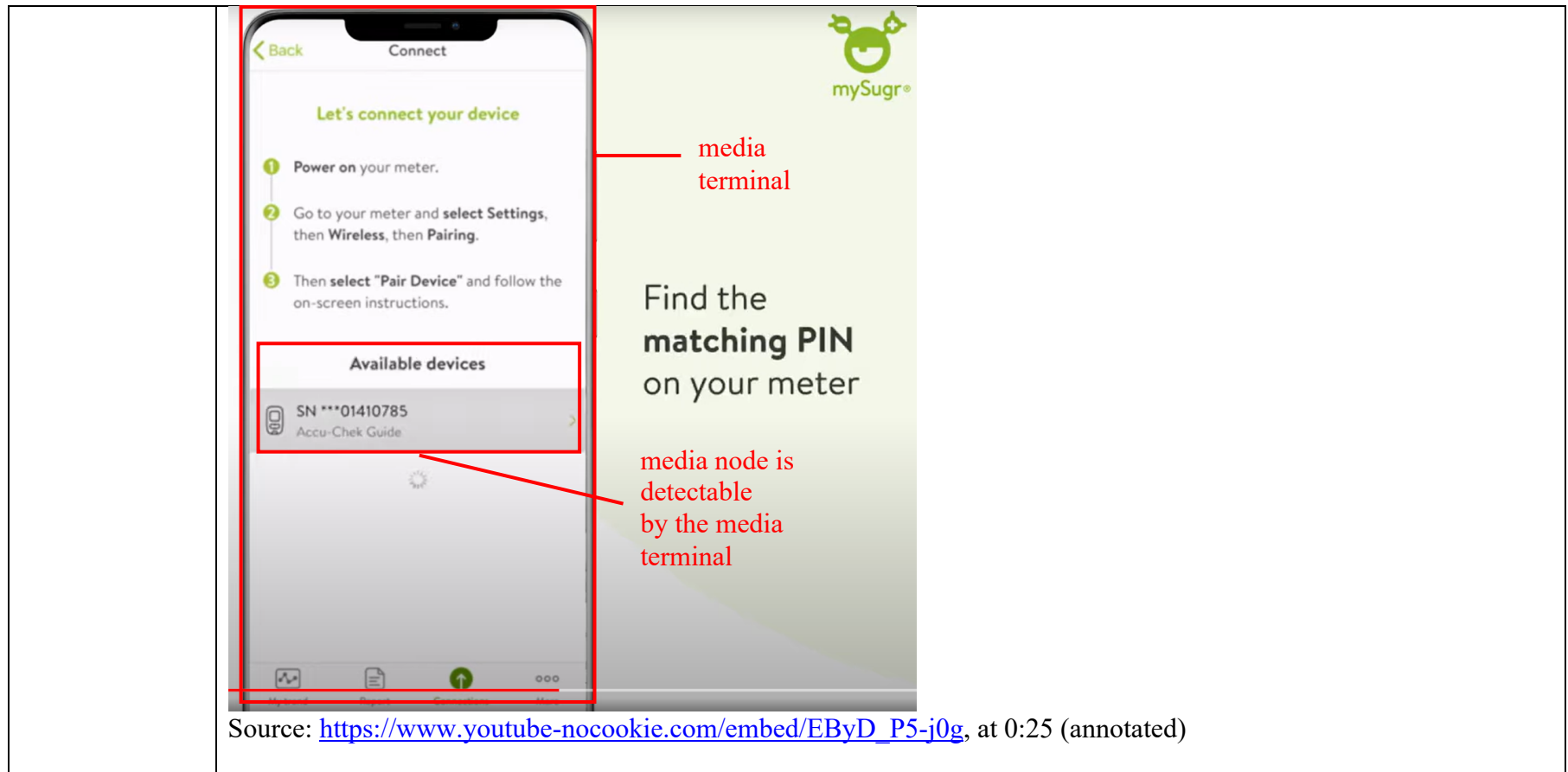


Exhibit 3 to the Complaint.

	<p>How can I transfer Accu-Chek meter data to mySugr? ^</p> <p>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your <u>blood sugar readings</u> into the app, saving you tons of time.</p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none"> 1. If you are using an Apple device, make sure Bluetooth® is turned on. a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process. 2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.) 3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen. 4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it. 5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device. 6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
[23.4] at least one digital media file disposed on said at least one	<p>Company makes, uses, sells and/or offers to sell at least one digital media file disposed on said at least one media node, said at least one media terminal being structured to detect said at least one media node.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

<p>media node, said at least one media terminal being structured to detect said at least one media node,</p>	<p>For example, the Accu-Chek Guide blood glucose meter is used to measures the blood sugar levels (“digital media file”). These measured blood sugar levels are saved in the Accu-Chek Guide meter (“digital media file disposed on said at least one media node”). The mySugr app installed in the user’s smartphone detects (“at least one media terminal being structured to detect said at least one media node”) the Accu-Chek Guide meter through Bluetooth and establishes a connection (gets paired).</p> <p>The Accu-Chek Guide System</p> <p>The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.</p> <p>The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.</p> <p>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70</p>
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Exhibit 3 to the Complaint.

	<div><div>5 mySugr Connectivity</div><div>Take the stress out of diabetes management by pairing your <u>Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</u></div><div>Source: https://www.accu-chek.com/products/meters/guide</div></div>	
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Exhibit 3 to the Complaint.


	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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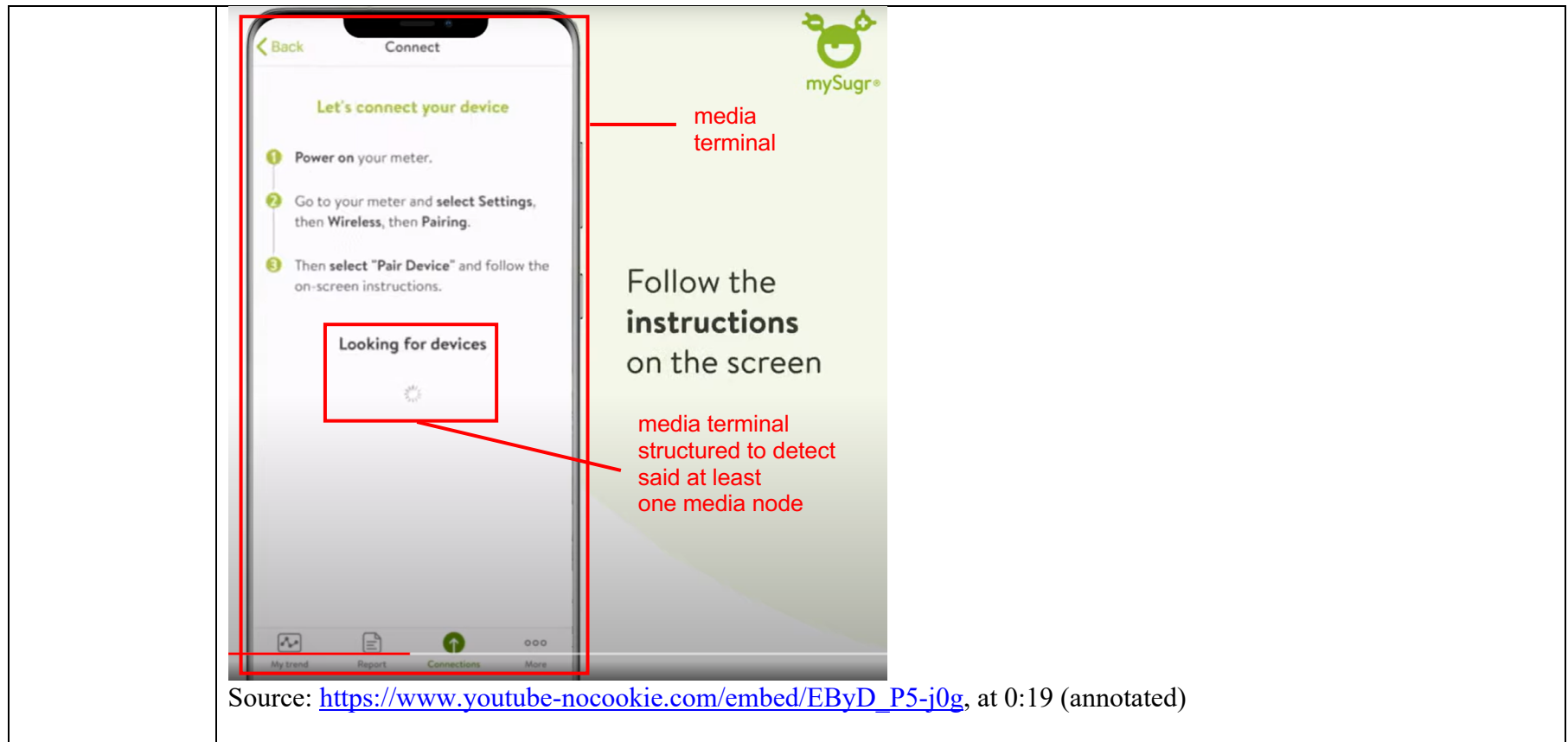


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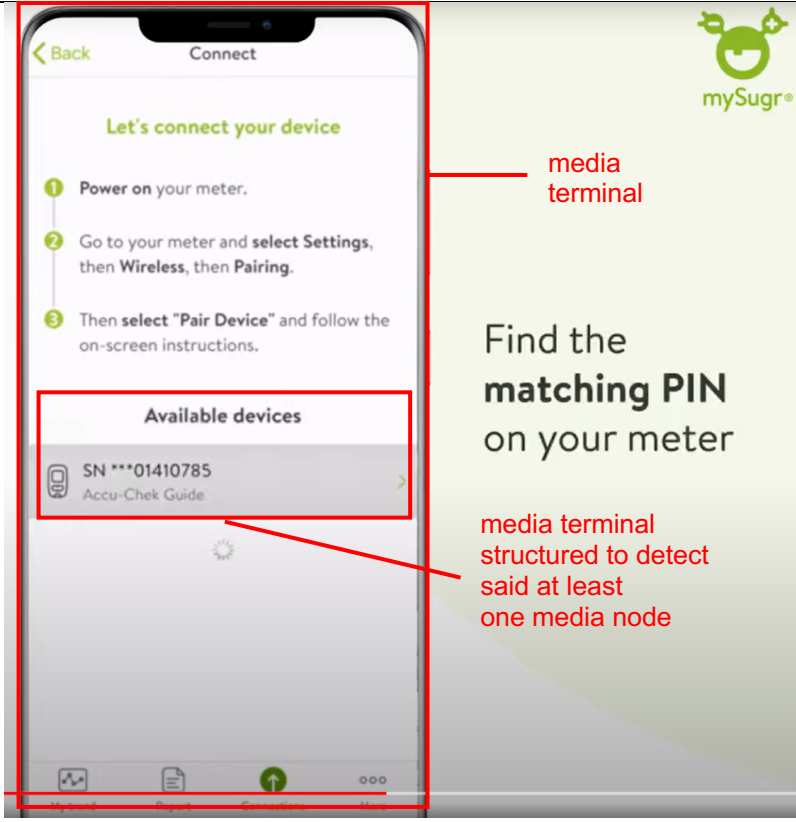
	<div data-bbox="443 240 1234 1057"><p>media terminal</p><p>media terminal structured to detect said at least one media node</p></div> <p>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:25 (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
[23.5] a communication link structured to dispose said at least one	<p>Company makes, uses, sells and/or offers to sell a communication link structured to dispose said at least one media terminal and said at least one media node in a communicative relation with one another via said at least one interactive computer network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

Exhibit 3 to the Complaint.

media terminal and said at least one media node in a communicative relation with one another via said at least one interactive computer network,	<p>For example, mySugr app installed on the user’s smartphone and Accu-Chek Guide establishes a connection through Bluetooth pairing. This process creates a Bluetooth channel (“communication link structured to dispose”) between Accu-Chek Guide meter and mySugr app for the transfer of the measured blood sugar levels (“a communicative relation with one another via said interactive computer network”).</p> <div><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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Exhibit 3 to the Complaint.

Bluetooth Wireless Technology – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


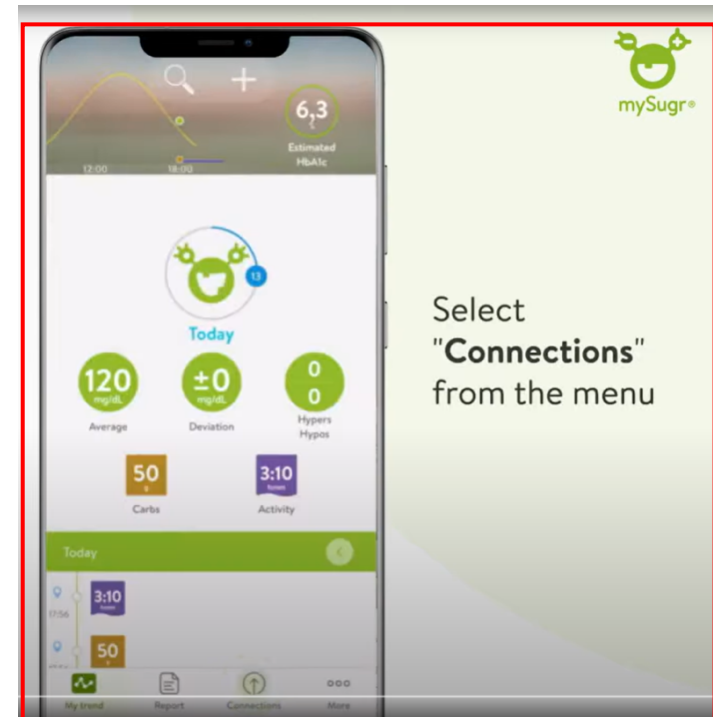
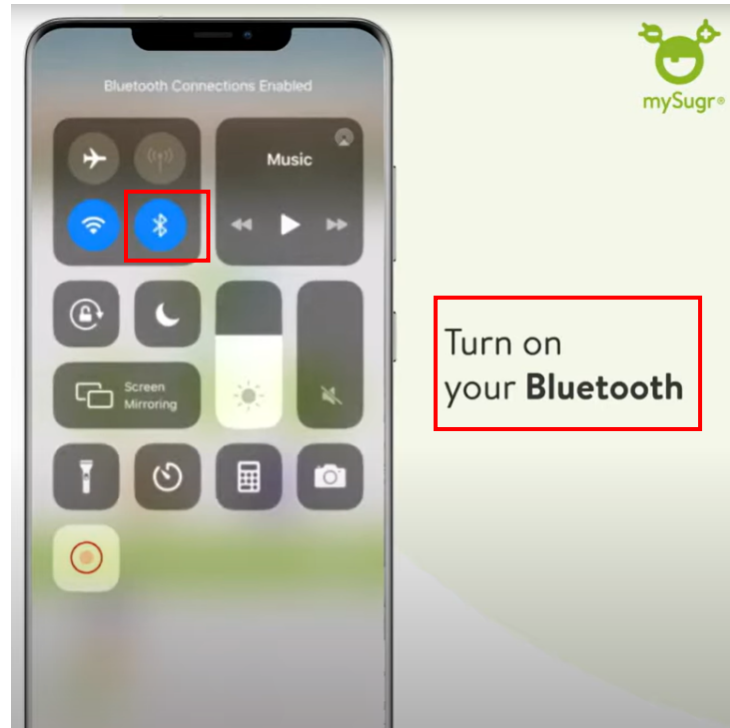
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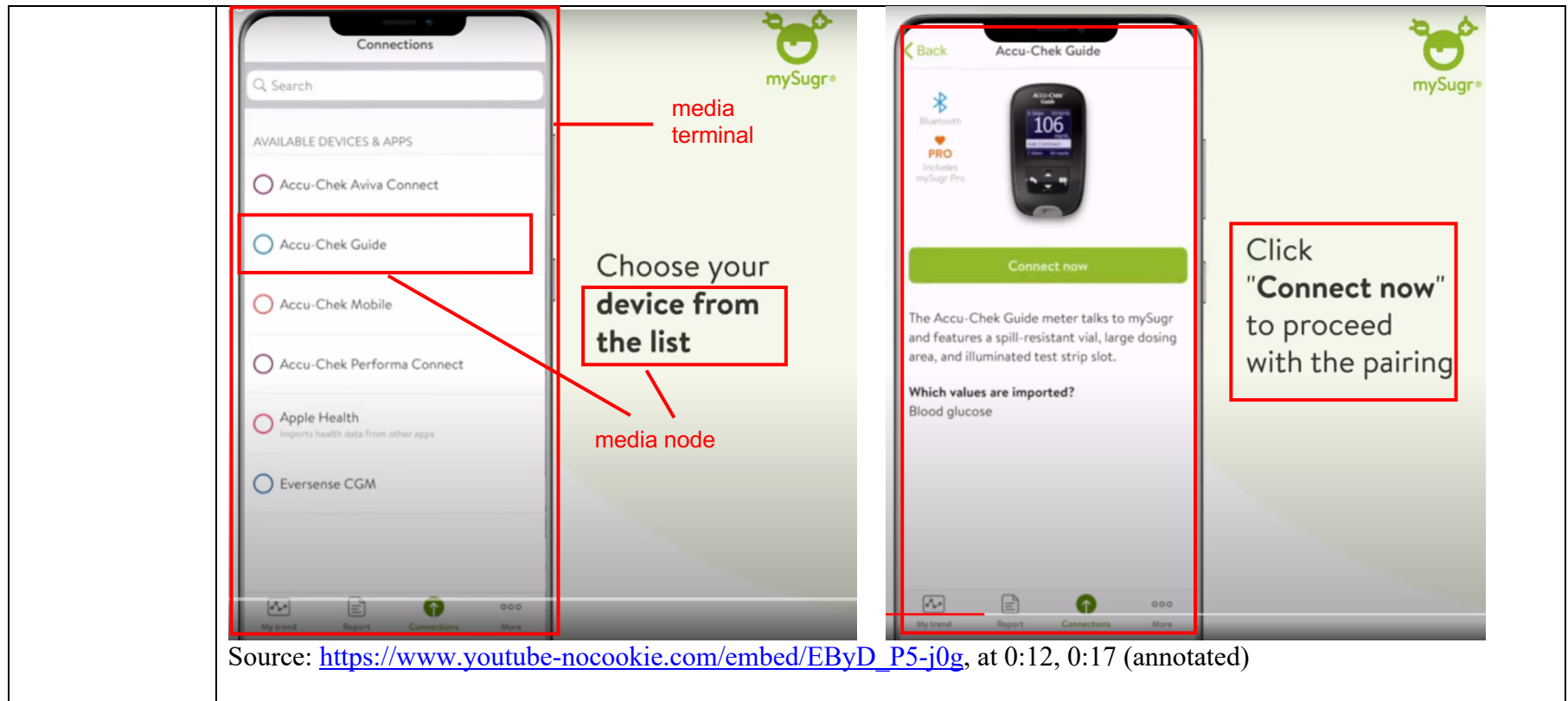


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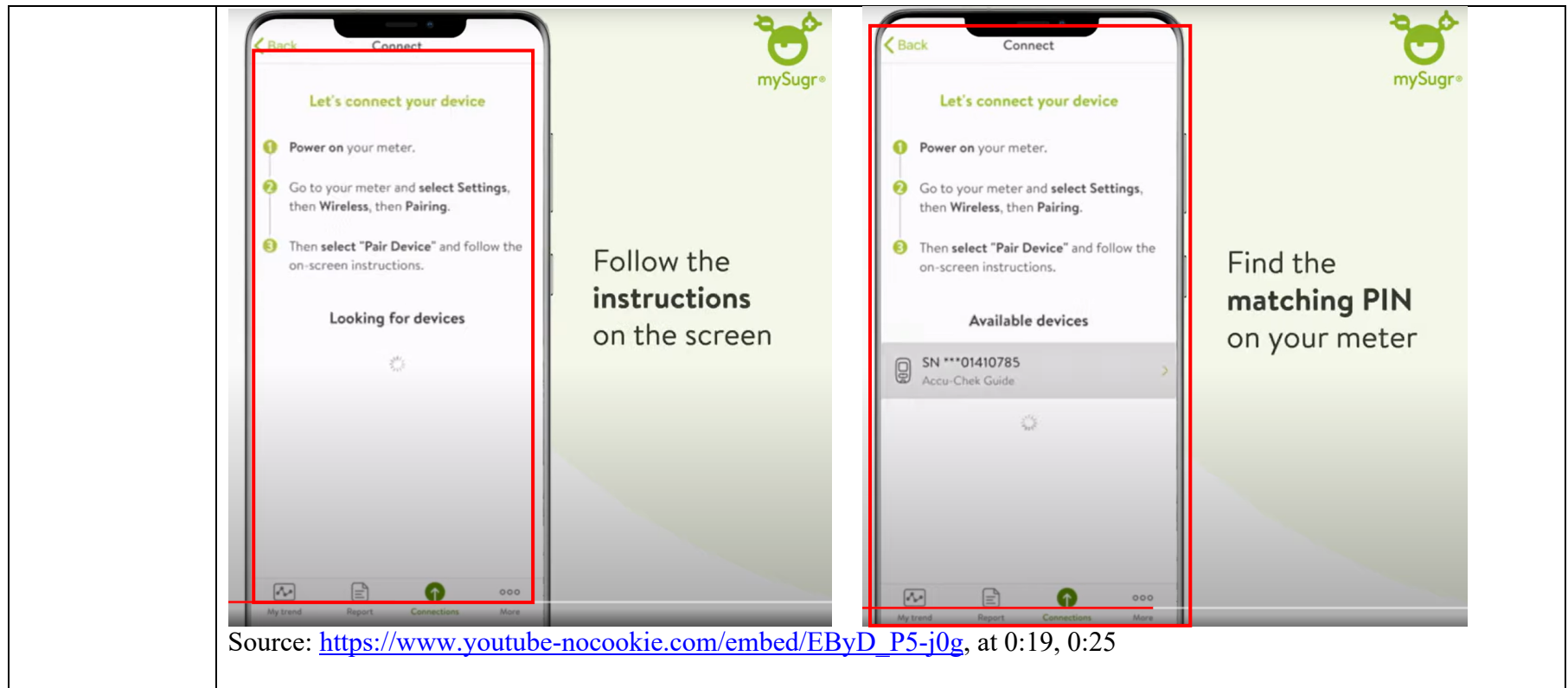


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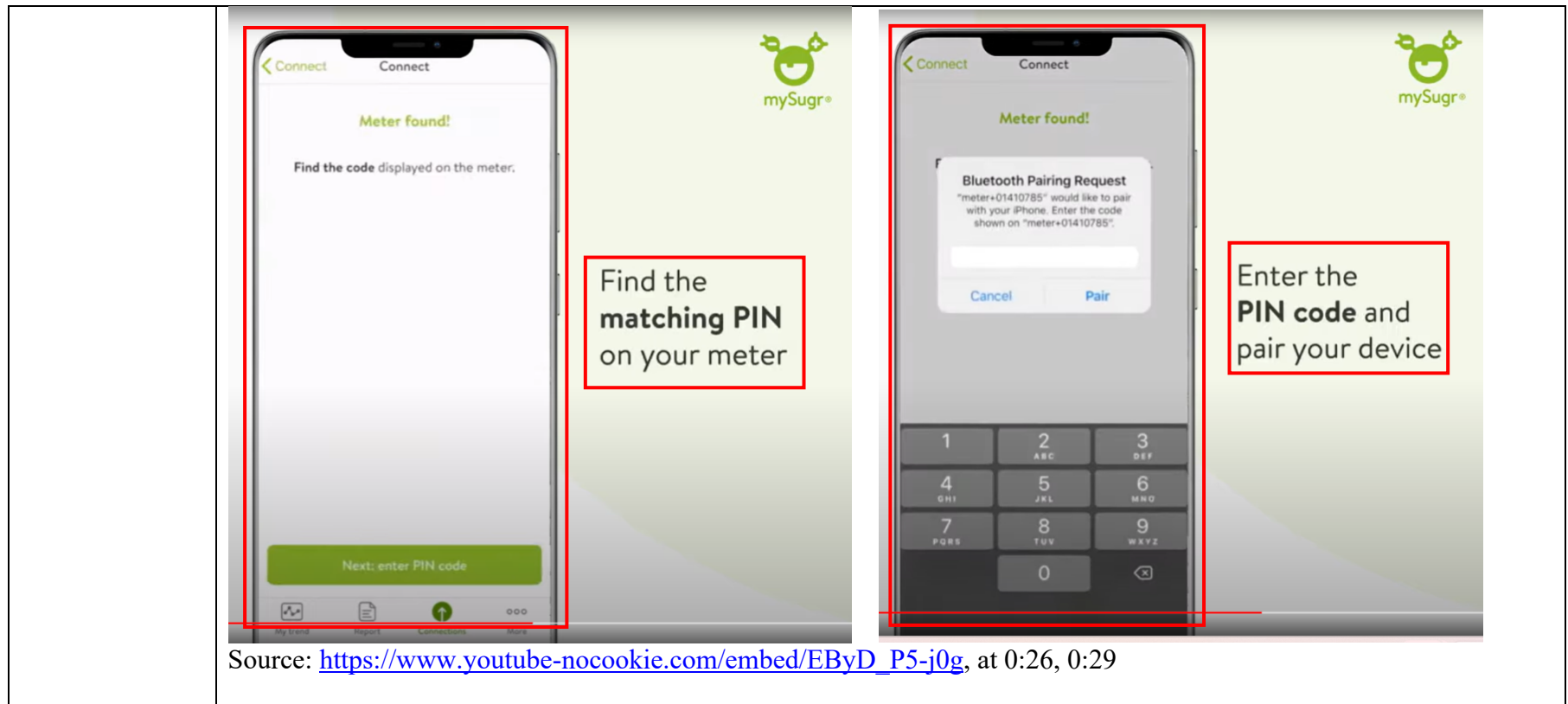


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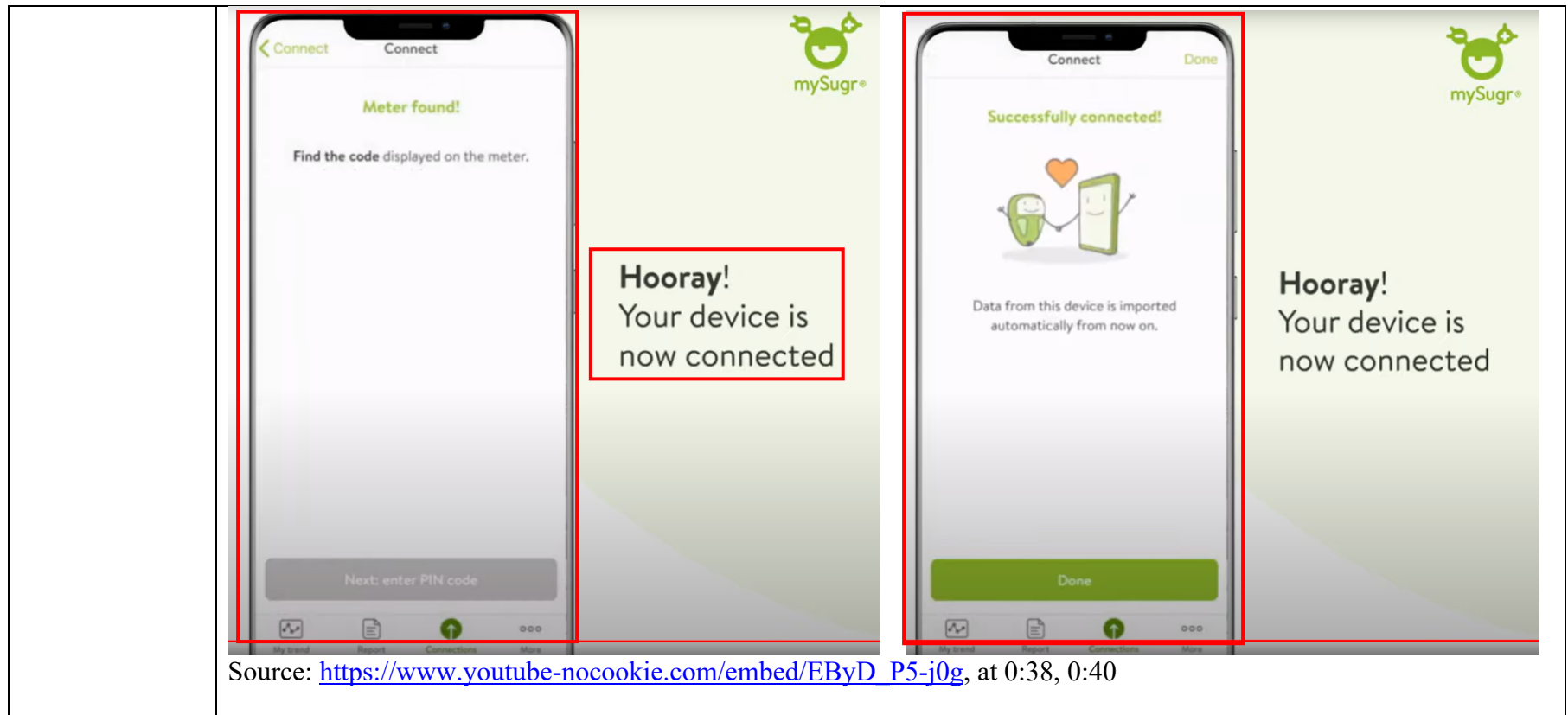
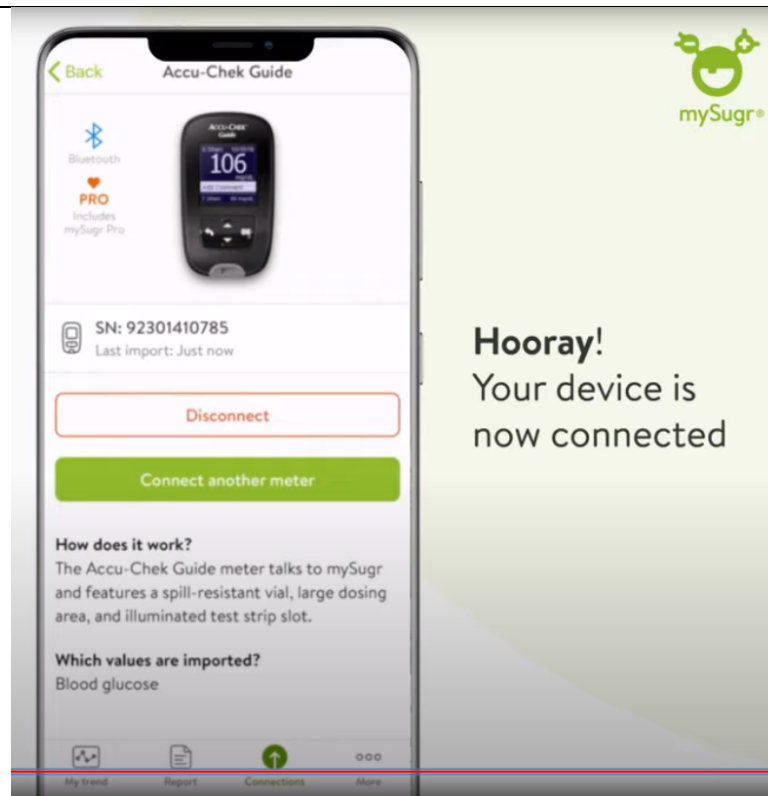


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Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[23.6] said communication link being initiated by said at least one media terminal and structured

Company makes, uses, sells and/or offers to sell said communication link being initiated by said at least one media terminal and structured to bypass at least one media terminal security measure.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, the mySugr app, installed on the smartphone, initiates Bluetooth pairing to establish the communication channel with the Accu-Chek Guide. The Accu-Chek Guide meter and the mySugr app do not require users to input a

Exhibit 3 to the Complaint.

to bypass at least one media terminal security measure,	<p>PIN (“security measure”) every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN (“bypass at least one media terminal security measure”). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypasses the security measure.</p> <div><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®</u>. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p>
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2. it is paired with, and
3. has an application that can accept the meter data.

Source: <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, Page 63 of 70

Exhibit 3 to the Complaint.


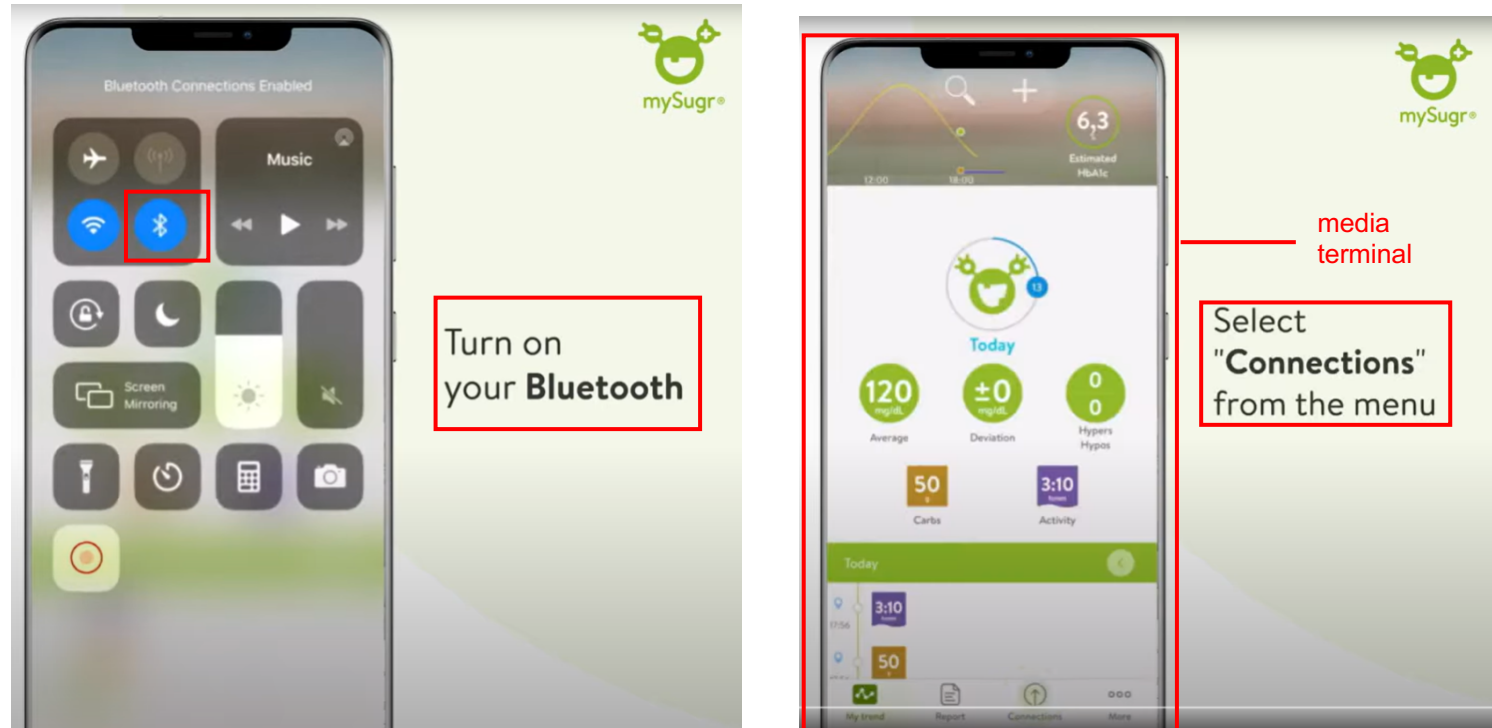
	<p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <div><ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.</div> <p>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen</p> <p>Source: https://www.accu-chek.com/support/products/guide</p>
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Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:07, 0:09 (annotated)

Exhibit 3 to the Complaint.

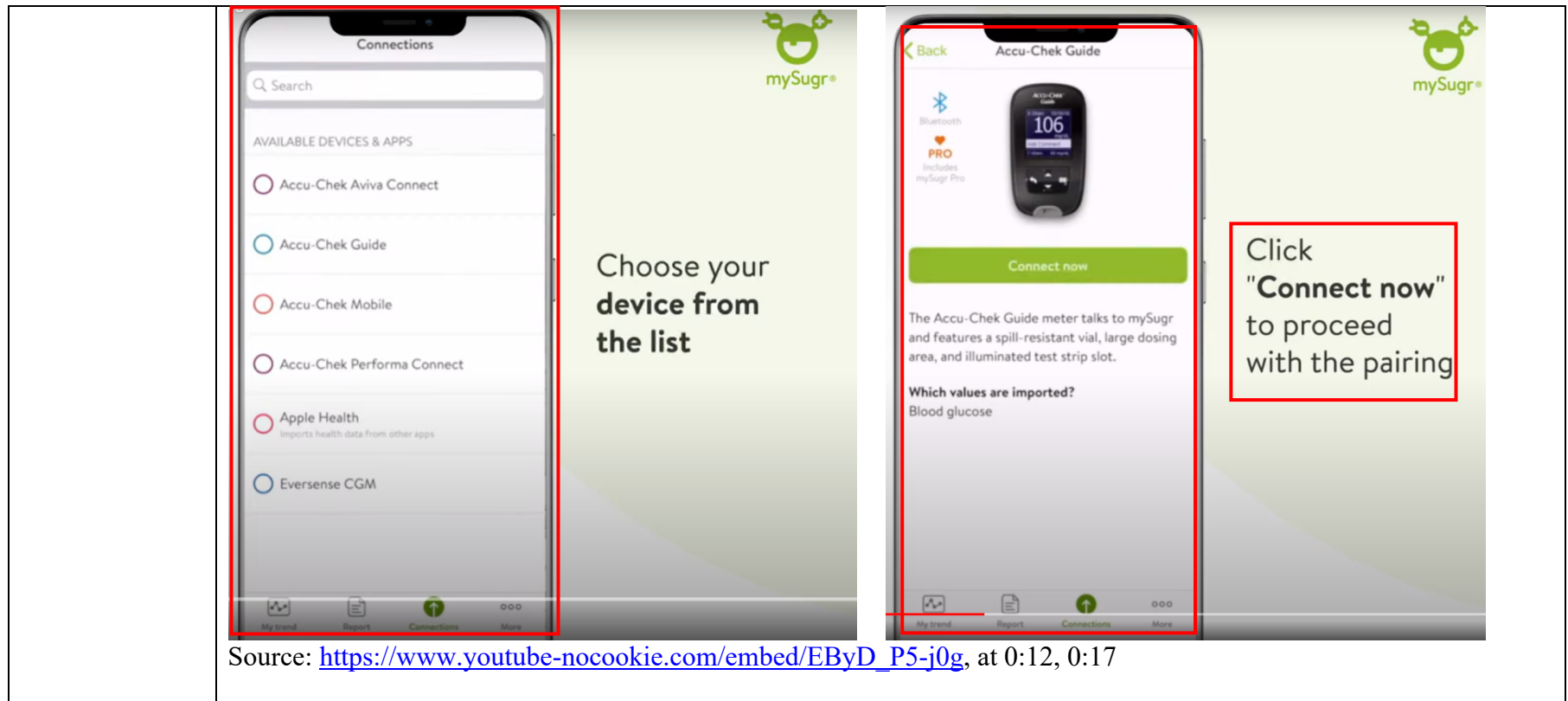


Exhibit 3 to the Complaint.

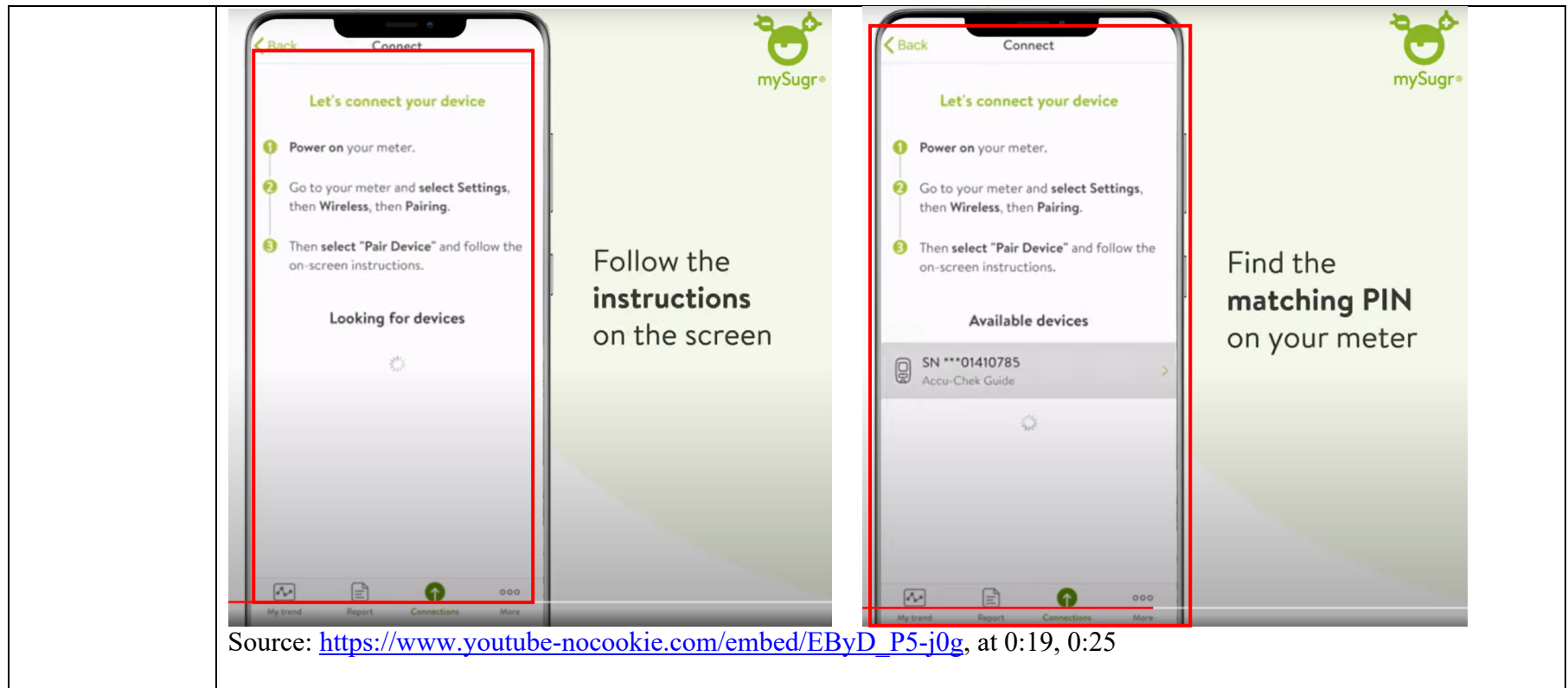


Exhibit 3 to the Complaint.

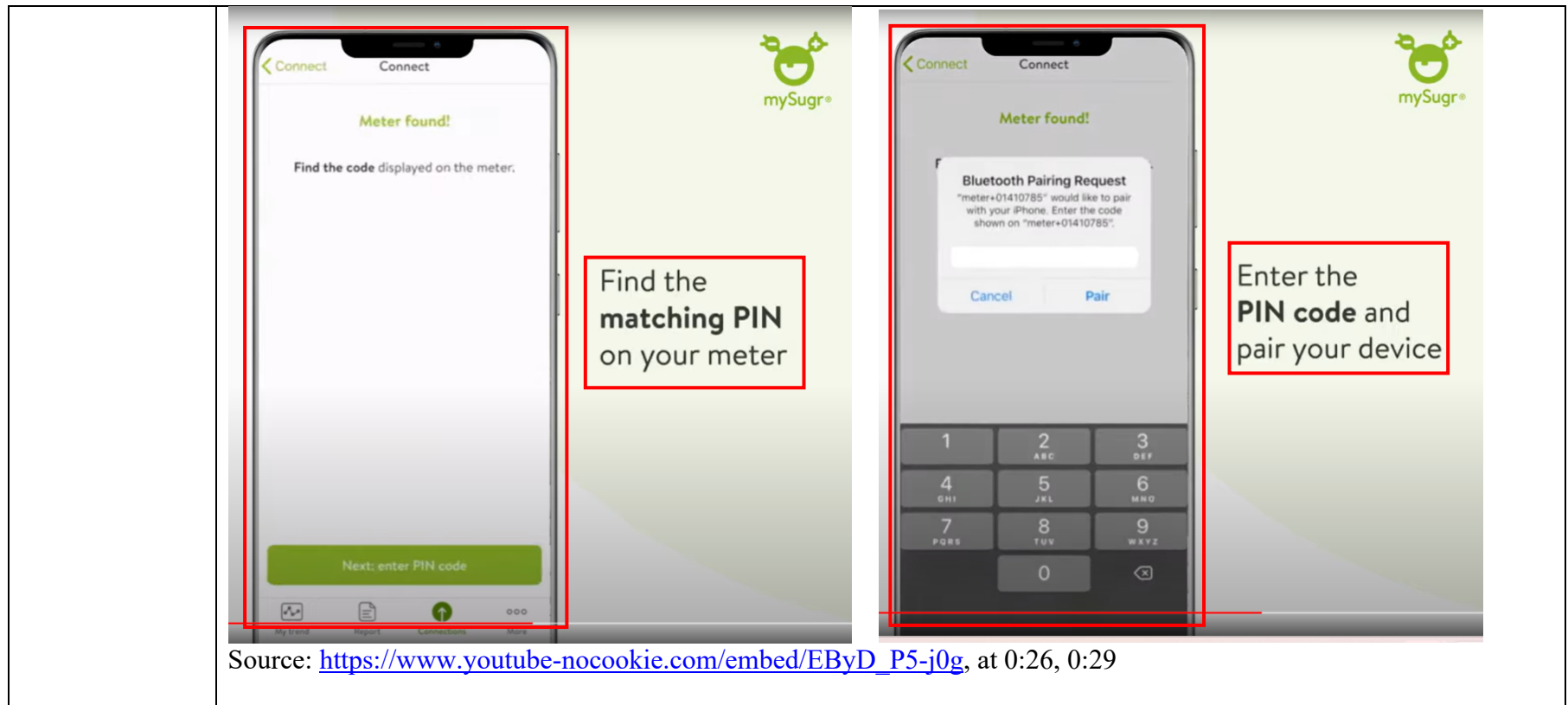


Exhibit 3 to the Complaint.

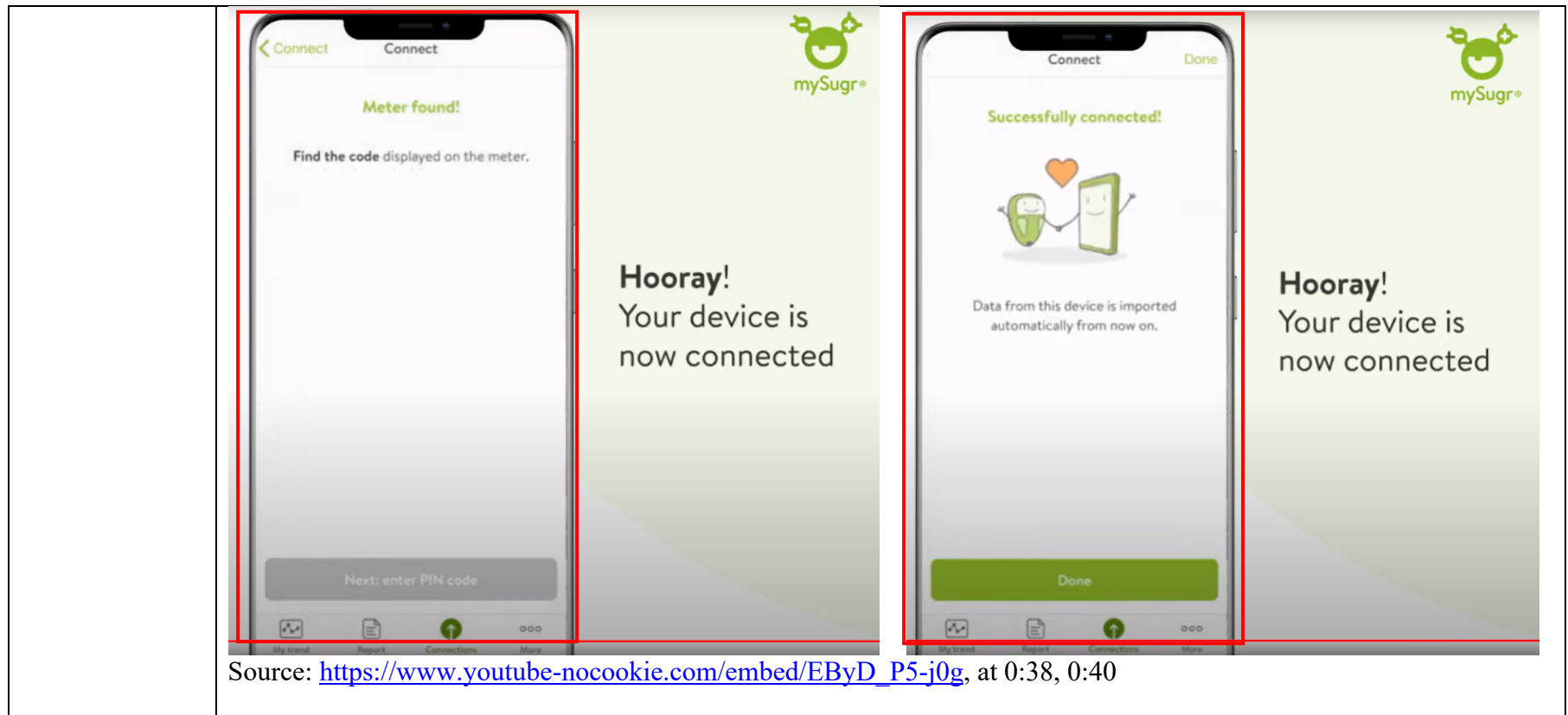
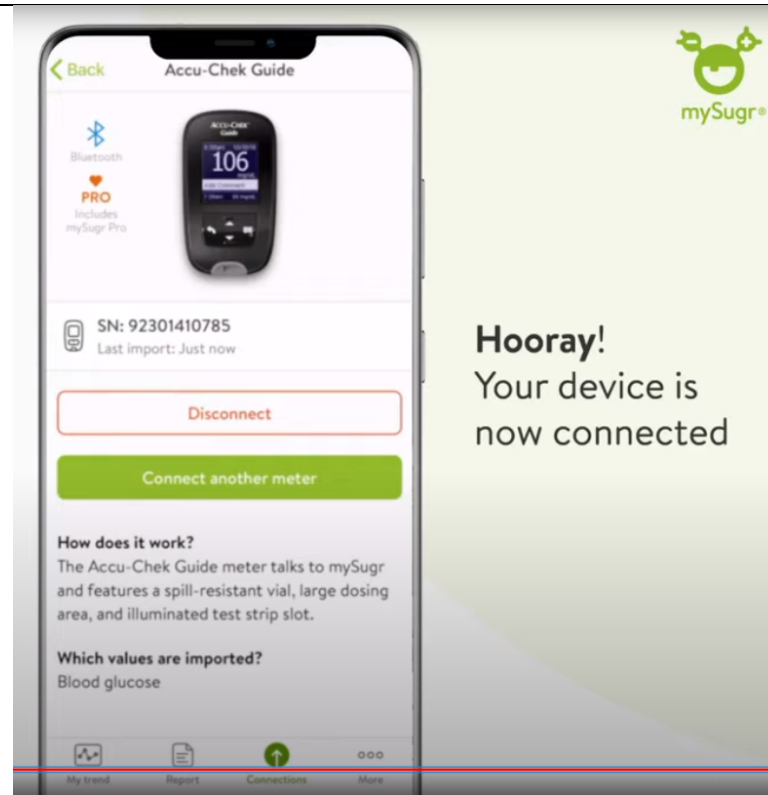


Exhibit 3 to the Complaint.



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[23.7] said media node structured to transmit said at least one digital media file to said

Company makes, uses, sells and/or offers to sell said media node structured to transmit said at least one digital media file to said media terminal via said communication link.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

Exhibit 3 to the Complaint.

<p>media terminal via said communication link.</p>	<p>For example, after establishing a Bluetooth channel between the mySugr app installed on the user's smartphone and the Accu-Chek Guide, the Accu-Chek Guide ("media node") sends the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone ("media terminal").</p> <div data-bbox="443 391 1398 708"><p>5 mySugr Connectivity</p><p>Take the stress out of diabetes management by <u>pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More</u></p></div> <p>Source: https://www.accu-chek.com/products/meters/guide</p> <p>Bluetooth Wireless Technology – The meter uses <i>Bluetooth®</i> low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form of radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that</p> <ol style="list-style-type: none">1. utilizes Bluetooth low energy technology,2. it is paired with, and3. has an application that can accept the meter data.
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Exhibit 3 to the Complaint.


	<p>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70</p> <p>How can I transfer Accu-Chek meter data to mySugr? </p> <p><u>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.</u></p> <p>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:</p> <ol style="list-style-type: none">1. If you are using an Apple device, make sure Bluetooth® is turned on.<ol style="list-style-type: none">a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen <p>Source: https://www.accu-chek.com/support/products/guide</p>
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Exhibit 3 to the Complaint.

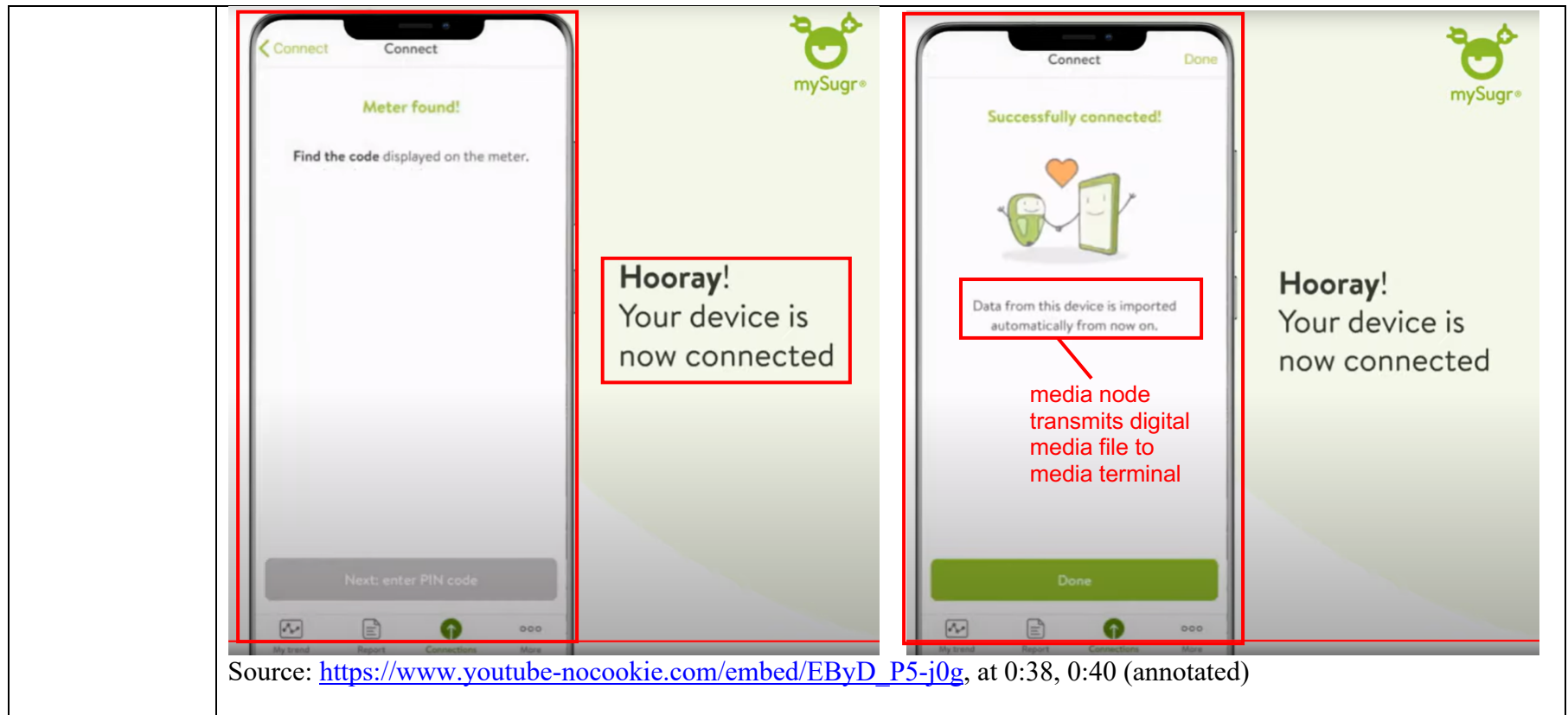
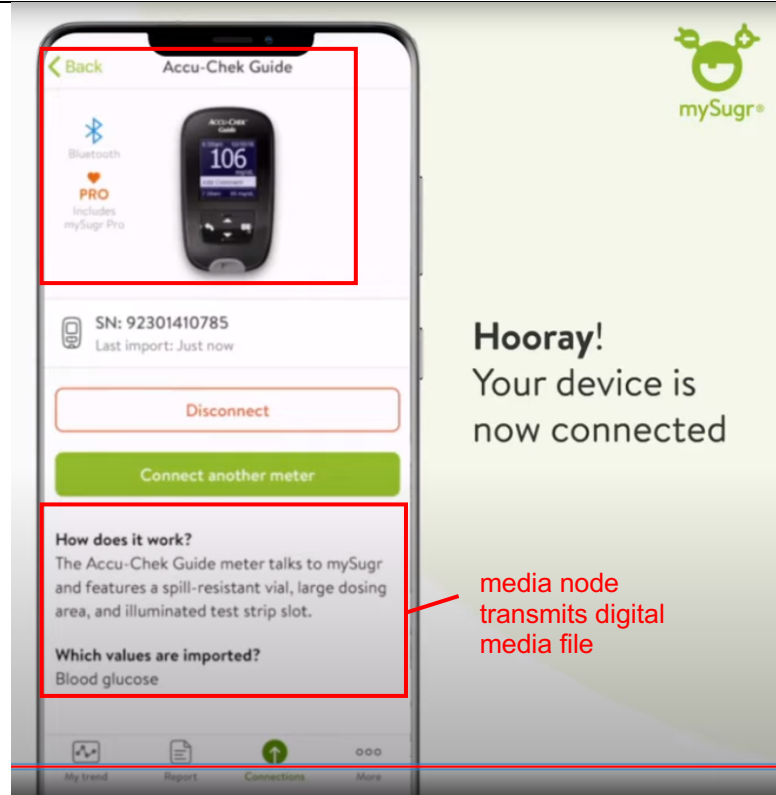


Exhibit 3 to the Complaint.



The screenshot shows the mySugr app interface. At the top, there's a 'Back' button and the title 'Accu-Chek Guide'. Below this, there's a Bluetooth icon and a 'PRO' badge indicating it includes mySugr Pro. A central image shows the Accu-Chek Guide meter displaying a reading of 106. Below the meter image, the serial number 'SN: 92301410785' and 'Last import: Just now' are shown. There are two buttons: 'Disconnect' and 'Connect another meter'. A red box highlights the 'How does it work?' section, which contains the text: 'The Accu-Chek Guide meter talks to mySugr and features a spill-resistant vial, large dosing area, and illuminated test strip slot.' Below this, another section titled 'Which values are imported?' shows 'Blood glucose'. To the right of the app interface, the text 'Hooray! Your device is now connected' is displayed. A red arrow points from the text 'media node transmits digital media file' to the 'How does it work?' section.

media node
transmits digital
media file

Source: https://www.youtube-nocookie.com/embed/EBYD_P5-j0g, at 0:43 (annotated)

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

Exhibit 3 to the Complaint.

2. List of References

1. <https://www.accu-chek.com/products/meters/guide>, last accessed on November 16, 2023.
2. https://www.youtube-nocookie.com/embed/EByD_P5-j0g, last accessed on November 16, 2023.
3. <https://www.accu-chek.com/products/mysugr>, last accessed on November 16, 2023.
4. <https://www.accu-chek.com/support/products/guide>, last accessed on November 16, 2023.
5. <https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download> , last accessed on November 16, 2023.
6. <https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download>, last accessed on November 16, 2023.